



Town of New Windsor

OFFICE OF THE PLANNING BOARD

WEDNESDAY — JULY 27, 2005 - 7:30 PM TENTATIVE AGENDA

MISCELLANEOUS ACTION AND CORRESPONDENCE:

1. MEADOWBROOK EST (01-42)– REQUEST FOR EXTENSION OF PRELIM APPROVAL
2. KIELLY ESTATES (03-01) REQUEST FOR TWO 6-MONTH EXTEN OF PRELIM APPROVAL
3. SANDCASTLE HOMES (03-37) RT. 94 Reapproval of Lot Line Changes forming 8 lots from 13 lots.
4. MC QUADE FOUNDATION (05-18) RT. 94 – Authorization to proceed with pool area construction

ANNUAL MOBILE HOME PARK REVIEW:

- A. THOMPSON MOBILE HOME PARK – WALSH ROAD
- B. MT. AIRY PARK - (RT. 207)

ZBA REFERRALS:

5. CUMBERLAND FARMS (05-25) RT. 94 & CAESAR'S LANE (OLSEN)
Proposed renovation and expansion of existing Retail and Gas Pumps

PUBLIC HEARINGS:

6. MS4 STORM WATER POLLUTION PLAN (HINES)
7. SHADOW FAX RUN SUBDIVISION (03-23) JACKSON AVENUE (CLEARWATER) Proposed
22-lot residential subdivision

REGULAR ITEMS:

8. NORTHPLANK DEV. CO. SITE PLAN & SPEC. PERMIT (05-26) RT. 207 (SHAW) Proposed new
office building.
9. SANDCASTLE HOMES SUBDIVISION (05-23) RIVER ROAD (COPPOLA)
Proposed 3-lot commercial subdivision.
10. SANDCASTLE HOMES SITE PLAN (05-24) RIVER ROAD (COPPOLA)
Proposed three office buildings on three separate lots.
11. CONKLIN / CALLAHAN LOT LINE CHANGE (05-22) JACKSON AVENUE (HILDRETH)
Proposed residential lot line change.
12. IRA CONKLIN SUBDIVISION (05-21) JACKSON AVENUE (HILDRETH)
Proposed 2-lot residential subdivision.
13. RAKOWIECKI SUBDIVISION (01-26) STATION ROAD (TECTONIC)
Proposed 36-lot residential subdivision
14. THE GROVE (formerly West Hills) SUBDIVISION (05-200) STEWART AIRPORT (MASER
CONSULTING) Proposed 4-lot subdivision.
15. THE GROVE (formerly West Hills) SITE PLAN (05-201) STEWART AIRPORT (MASER
CONSULTING) Proposed 311 condominium units.

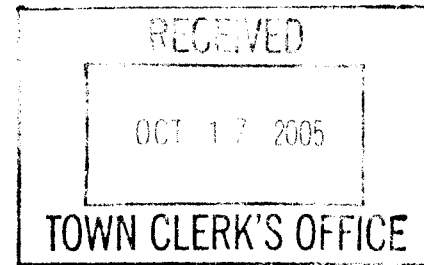
(NEXT MEETING –AUGUST 24, 2005)

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TOWN OF NEW WINDSOR

PLANNING BOARD

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MEMBERS PRESENT: JAMES PETRO, CHAIRMAN
NEIL SCHLESINGER
JERRY ARGENIO
DANIEL GALLAGHER
THOMAS KARNAVEZOS

ALTERNATE: JOSEPH MINUTA

ALSO PRESENT: MARK EDSALL, P.E.
PLANNING BOARD ENGINEER

MICHAEL BABCOCK
BUILDING INSPECTOR

MYRA MASON
PLANNING BOARD SECRETARY

ABSENT: ERIC MASON

REGULAR MEETING

MR. PETRO: Once again, the agendas are on this aisle here, right up on top. If someone wants an agenda. These papers over here have to do with the condo project only but, it gives you a lot of information that you might find useful. OK, miscellaneous action and correspondence we have Meadowbrook Estates and a request for extension of Preliminary Approval. Dear Chairman Petro and Board Members: I am writing on behalf of Landmaster Community Developers, the applicant to formally request that the Planning Board grant an extension to the Preliminary Approval of the above referenced subdivision which expires August 11th, 2005. I thank the Board in advance for your attention and consideration in this matter. Mark, any problems with this, what is this for two 90 days.

MR. EDSALL: No it would be for a six month extension of Preliminary Approval. The applicant is preparing agency applications for outside approvals so I would think that that's a justified request.

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MR. PETRO: Okay.

MR. ARGENIO: I make a motion for a six month extension for Meadowbrook Estates.

MR. SCHLESINGER: I second it.

MR. PETRO: Motion has been made and seconded that the New Windsor Planning Board grant a six-month extension to the Meadowbrook Estates request for extension of approval. Any further comments from the Board Members.

ROLL CALL:

MR. SCHLESINGER	AYE
MR. KARNAVEZOS	AYE
MR. GALLAGHER	AYE
MR. ARGENIO	AYE
MR. PETRO	AYE

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KIELLY ESTATES 03-01

MR. PETRO: Also correspondence, Dear James Petro, Chairman, I'd like to request two extensions of the preliminary approval granted by the Town of New Windsor Planning Board on June 9th, 2004 for Kielly Estates. On June 29th, 2005 the subdivision was resubmitted for the second time to the Orange County Department of Health for review as per the attached letter. Please review this matter at the July 13th, 2005 meeting. Mark, any problems with this one. And this would run for two extensions of what 90 days again.

MR. EDSALL: Well, they are six months, apparently they have a reason why they need a double extension, they anticipate a greater period of time I would expect.

MR. PETRO: Orange County Department of Health must be holding them up for some reason, I'll accept a motion.

MR. ARGENIO: I'll make a motion for 2 six month extensions of preliminary approval for Kielly Estates.

MR. SCHLESINGER: Second it.

ROLL CALL:

MR. SCHLESINGER	AYE
MR. KARNAVEZOS	AYE
MR. GALLAGHER	AYE
MR. ARGENIO	AYE
MR. PETRO	AYE

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SANDCASTLE HOMES (03-37)

MR. EDSALL: This is actually a previous application that had quite a number of years ago had been approved for a greater number of lots. The applicant reduced, as part of a resubmission, reduced the count from 13 lots to 8. Their approval expired while they were resolving some field issues from the old plans. They corrected the issues that we discovered in the field and they are seeking a re-approval. I think it's warranted and they were cooperative in resolving those issues.

MR. ARGENIO: Mark, he has relief from the 80,000 feet.

MR. EDSALL: Well, this is a subdivision approved years and years and years ago and they're increasing the size of the lots from the previous owner.

MR. PETRO: I think we took the lot count considerably.

MR. EDSALL: It went from 13 to 8. So this is just a re-approval.

MR. PETRO: For how long a period.

MR. EDSALL: It would be for the 180 days and then they could seek to ...

MR. PETRO: All right, I need a motion for a re-approval for 180 days.

MR. ARGENIO: I'll make the motion for re-approval for Sandcastle Homes on Rt. 94.

MR. SCHLESINGER: I'll Second it, but, I have a question. They don't have to come before us again for any...

MR. PETRO: Only for 180, then after 180 expires, they have to come back again. But not for the 180.

MR. SCHLESINGER: Second it.

MR. PETRO: Motion has been made and seconded that the New Windsor Planning Board grant re-approval for 180 days to Sandcastle Homes. Any further discussion from the board members, if not:

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ROLL CALL:

MR. SCHLESINGER	AYE
MR. KARNAVEZOS	AYE
MR. GALLAGHER	AYE
MR. ARGENIO	AYE
MR. PETRO	AYE

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MCQUADE FOUNDATION (05-18)

MR. PETRO: Number 4, the McQuade Foundation on Rt. 94, authorization to proceed with the pool area construction. Mark do you want to just touch on that or Mike.

MR. EDSALL: The applicant had asked in the past and had asked at a workshop whether or not the pool component of the overall site plan under review would be permitted to apply to the Building Department to get permits and begin construction. With all the issues that are on-going for review that are currently, let's call it preliminary final design, are those areas for access roadways and parking. The pool area doesn't seem to be in any dispute, so it's up to your discretion if you want to authorize the Building Department to issue permits. Obviously, if there is acceptable plans.

MR. PETRO: Mike, do you have any problem with that for your department.

MR. BABCOCK: No. Actually, if they were only doing the pool, they wouldn't even be in front of the Planning Board.

MR. ARGENIO: They landed at Planning Board because they showed the pool on the over all site.

MR. PETRO: It really has nothing to do with the site plan, it just happens...

MR. BABCOCK: Well, it does, but...

MR. PETRO: Because it's before the Board, we have to look at it.

MR. BABCOCK: Right, but, there's no issues there.

MR. PETRO: Let's take a show of hands, does anyone have any objects to it.

MR. ARGENIO: I have no objections Mr. Chairman.

MR KARNAVEZOS: No.

MR. PETRO: Mike, will take care of it.

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THOMPSON MOBILE HOME PARK – WALSH ROAD

MR. PETRO: Annual Mobile Home Park Review, Thompson Mobile Home Park on Walsh Road. Is someone here to represent this and would you come forward please. Can you state your name please.

MR. GLYNN: My name is Arthur Glynn.

MR. PETRO: Now you're buying the park from Fred Thompson.

MR. GLYNN: We purchased it, yes.

MR. PETRO: So, you're the new owner and I also know that you're working with the Building Department to clean it up and Mike, you've been there and you understand what's going on, he's cleaning it up.

MR. GLYNN: Well, Mike and I we talked before, and I was in to see Mark the other day and we discussed some options of what we are doing on that so. We're redoing the building and the mobile home park.

MR. PETRO: You're getting rid of the body work there right.

MR. GLYNN: Yup, it's gone. Tanks are out.

MR. PETRO: Okay, it's a \$100.00 fee for the one year just for the Mobile Home Park obviously this is nothing to do with the building that you are working on. Mike, anything on the mobile home park, I know it's in process so you're there basically every few days now looking anyway.

MR. BABCOCK: Everything is in good shape.

MR. PETRO: So what you do is pay your \$100.00 today and next year we'll grab you again.

MR. GLYNN: Okay, where do I pay the \$100.00.

MR. PETRO: Right here.

MR. ARGENIO: I'll make a motion for a one year extension of the Thompson Mobile Home Park.

MR. SCHLESINGER: Second it.

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ROLL CALL:

MR. SCHLESINGER:	AYE
MR. KARNAVEZOS	AYE
MR. GALLAGHER:	AYE
MR. ARGENIO:	AYE
MR. PETRO:	AYE

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MT. AIRY PARK – RT 207

MR. PETRO: While you're writing your check we will go right to Mt. Airy Mobile Home Park, Mike has someone from your Building Department been there.

MR. BABCOCK: Everything's good there Mr. Chairman.

MR. ARGENIO: I'll make a motion for a one year extension of the special use permit for Mt. Airy Mobile Home Park on Rt. 207.

MR. SCHLESINGER: Second.

MR. PETRO: Okay, motion has been made that the New Windsor Planning Board grant a one year extension to the Mt. Airy Mobile Home Park. Any further discussion from the members, if not.

ROLL CALL:

MR. SCHLESINGER:	AYE
MR. KARNAVEZOS:	AYE
MR. GALLAGHER:	AYE
MR. ARGENIO:	AYE
MR. PETRO:	AYE

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CUMBERLAND FARMS (05-25)

MR. PETRO: ZBA Referral, Cumberland Farms on Rt. 94 and Caesar's Lane. Proposed renovation and expansion of existing retail and gas pumps. Now this is here for a referral to the Zoning Board for what, the height on the building.

MR. OLSEN: This is here for a referral on a non-conforming use. This is the existing Cumberland Farms facility at Rt. 94 and Caesar's Lane so it's in your Professional Office zoning district. The use is non-conforming and Cumberland Farms has owned it since 1975. In order to do this thing, we need to expand the building in order to put the necessary improvements to the tank, the upgrades for environmental standards and increase the pumping capacity in order to that to support it, we have to have a larger expansion. Your code limits us to a 30% expansion and we will be seeking a variance of that from your Zoning Board. I believe Mr. Edsall indicated it was 125% expansion.

MR. SPIAK: That's because we have such a small store sitting on this property.

MR. PETRO: You're going to expand the store 125%.

MR. ARGENIO: Or is it the structure you're talking about.

MR. OLSEN: The structure. The existing structure sits approximately here and it's a small block building of approximately 1500 square feet. What we plan is the new modern Cumberland Farms Convenient Store that you have seen in the area before. We have some pictures as to what similar facilities are like.

MR. PETRO: Now, other than the expansion, would there be any other variances required. Now, I see your setback, you're moving this building back further than the other building.

MR. OLSEN: Correct, according to, and I met with Mr. Edsall on this, according to him, since there are no standards for this facility in the PO District, the variance for the non-conforming use expansion, if granted, would be on these setbacks that they have permitted here.

MR. PETRO: So it will be all in one, is what you are saying, right Mike.

MR. EDSALL: They look at the plan and historically they look at the nearest zone that would permit this use and then try to get an understanding of it relative to that zone. But, that happens at the ZBA.

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MR. PETRO: How about your signage. Are you going to increase your signage.

MR. OLSEN: Signage, nothing is going to change. Signage ... what we are proposing to do is just maintain and clean up the existing free-standing sign on that. The existing Gulf Sign that you see on the canopy now will basically go away. There's a small non-illuminated Cumberland Farms sign on the, across the building. The building elevation proposed is something along the lines of a brick façade, black colonial style, mansard roof wrapping around it.

MR. ARGENIO: With a cupola.

MR. OLSEN: Yes.

MR. PETRO: How high is that cupola.

MR. OLSEN: That cupola at the end of the day is approximately 26 feet.

MR. PETRO: I'm not touching on Planning Board issues, I'm touching on anything that may be triggered at the Zoning Board because once you are there, you don't want to come back here and say, Oh, I forgot that one, and have to go back.

MR. OLSEN: Sure.

MR. PETRO: So, I would give it careful consideration and ask for what you need to ask for while you're there, don't make any mistakes, not that I say that you would. Curb cuts, you are using existing curb cuts, you're not changing anything.

MR. OLSEN: We are modifying the curb cut on Caesar's Lane to pull away from the intersection and get it back further. It pretty much spills out in this area. Right now its 10 feet or so.

MR. PETRO: Keep in mind you are going to need to go to the Highway Department here for a town road. You're not doing anything on the state road.

MR. OLSEN: No, we're not.

MR. PETRO: Okay, motion for final approval or not final...

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MR. ARGENIO: I'll make a motion that the Planning Board deem this application incomplete at this time.

MR. SCHLESINGER: Second.

MR. PETRO: Motion has been made and seconded that the New Windsor Planning Board deemed this application incomplete. The reason I got confused is that for fifteen years we've been saying the other way, now this is..

MR. OLSEN: We'll take final approval.

MR. PETRO: No we do final and then deny it, so now an attorney has come up with the idea it is not really the correct way of wording it so now we just say it's incomplete and deny it. Anyway we deem this application incomplete and forward to the Zoning Board of Appeals of the Town of New Windsor. Is there any further discussion from the Board Members. If not roll call.

ROLL CALL:

MR. SCHLESINGER: AYE
MR. KARNAVEZOS: AYE
MR. GALLAGHER: AYE
MR. ARGENIO: AYE
MR. PETRO: AYE

MR. PETRO: Okay, at this time you have been referred to the New Windsor Zoning Board of Appeals for your necessary variances. If you are successful and receive those variances then you can reappear before this Board at such time to present the site plan which we will review.

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MS4 STORM WATER POLLUTION PLAN

MR. PETRO: Okay, first public hearing is MS4 Storm Water Pollution Plan represented by Pat Hines.

MR. EDSALL: No actually, Pat's not here and I'm going to take care of this matter. This is a public hearing that is required in connection with the Town's SPDES Permit for storm water discharges for small municipal separate storm sewers which is the acronym MS4 with DEC. The town recently filed it's Annual Report for year ending March 9, 2005 and it was filed in compliance with the deadlines and the regulations of six areas which the town has past to make efforts toward improvement, public education, public involvement, illicit discharge detection and elimination, construction site storm water runoff control, post construction storm water management and pollution prevention good housekeeping for the municipal operations. Each of those years over the last year and previous years the town has been taking efforts to cooperate with the public in improving the conditions within town and the purpose of this public hearing is to seek input from the public, should they have any, relative to the general permit and the MS4 activities of the town. So, Mr. Chairman, you can accept any comments relative to those regulations.

MR. PETRO: Did we have notice of public hearing.

MR. EDSALL: This is not one that has to have that type of notice.

MR. PETRO: Is there anyone here that would like to speak on this subject. This is the MS4 Storm Water Management Plan.

MR. EDSALL: It is a program which, the long-term goal in a nutshell, is to improve water quality and take efforts to eliminate to the best extent practical, discharges from projects from storm water collection system to avoid pollution, in plain terms.

MR. PETRO: I think that the public should know that this is being mandated by the federal government. We don't have a choice.

MR. EDSALL: It comes from the federal government, through the State DEC. Regulations were promulgated that the town has adopted a local law and if any of the public has the benefit of coming to a lot of these meetings, the plans include storm water pollution prevention plans, erosion plans, a lot of new and more refined requirements to avoid pollution of streams and ponds and the river and so on.

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MR. PETRO: Which is good in some cases, but in some case, obviously I'm not for this, but, I have no choice. I'm probably the only chairman of the planning board that isn't for it, but, what happens is, if you have let's say a commercial acre and a half building lot, you cannot run your water now into any system. You can't go into a culvert. It has to be either A, into a retention pond, which are popping up all over town and maintained and breed mosquitoes, or B, put into a system underneath the ground that controls the water then, lets it out slowly. Which to me, any place in the North East which runs sand all winter long clogs up these systems and who's going to maintain it in four years. But, we don't have a choice with it. It's the federal law, we have to comply and we have to enforce it. So, with that, I'll close the public hearing if there's nobody who has anything else to say. Okay, we have two hands.

MS. MAXWELL: Hi, I'm Fran Maxwell. I just have a question. This has nothing to do with the Ashokan Dam and the storm waters polluting the area there and making the turbulation as it was in the Ashokan and they had to go in and dredge the area to try to clean it up. It has nothing to do with that type of pollution.

MR. PETRO: No, they may be doing it up in that area and try and control it there. This is only in New Windsor. This law is for New Windsor only and has nothing to do with the water there.

MS. MAXWELL: It has nothing to do then with the Aqueduct and a few yearsto have the Aqueduct closing again.

MR. PETRO: No.

MR. EDSALL: No.

MS. MAXWELL: Okay, what is being proposed then now for New Windsor's water. What are we proposing since we don't know about this.

MR. PETRO: This simply is to control, let's take a building that's being built, a commercial building somewhere in New Windsor, like right down here you see they are clearing the land and are going to put up a building. You cannot take the 15 inch pipe anymore and just run it over to the culvert and let the water go bye-bye. It now has to go into a retention pond and be treated and/or it has to go into an underground water system with sand and filters, very expensive, and the water that comes out of that system then can go into our culverts and go into Silver Stream or wherever it goes because it has now been theoretically cleansed

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by the sand and the earth. But, it cannot run from the blacktop into a pipe and come out into a stream.

MS. MAXWELL: And who will be monitoring this.

MR. PETRO: Oh, every Planning Board application has to show it. It can't go through Planning Board without it.

MS. MAXWELL: And then it would have to be tested before it could be released, the waters would have to be tested before they could be released.

MR. PETRO: I don't know that they would be tested, well obviously the retention pond would speak for itself. The underground system, once it's installed, I'm sure it would be certified by whoever is installing it and I think that just by the natural way that it would go through, the sand filters and any other substance that they put in there that it would work, I can't imagine it not working. My objection to it, and this a personal objection, is that as it gets clogged up over the years, I can't imagine people volunteering, did you ever see a vent in a roof. It's all black and you can't even breathe and it's trying to put heat through the house. Who's going to clean those things. It's a joke but, it's the law and they are not listening to me, there is a federal law and we have to follow it. I'm sure, when it doesn't work, maybe they will come up with something else. I know the retention ponds themselves are monitored by the town. If you call up and say we got a big mosquito problem here, the town will send the Highway Department or some other department to take care of that. But, the in-ground systems, which as a matter of fact, we wouldn't allow here, correct Mark, for years because people would voluntarily use them but, we wouldn't allow them for that reason and now they are forcing it. Uh, Jerry Ebert.

MR. EBERT: No, I'm fine.

MR. PETRO: We covered it.

MR. ARGENIO: I make a motion that we close the public hearing on the MS4 Storm Water Pollution Plan.

MR. SCHLESINGER: Second it.

MR. PETRO: Motion has been made and second that the New Windsor Planning Board close the public hearing on the MS4 Pollution Plan. Is there any further discussion from the Board Members.

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ROLL CALL:

MR. SCHLESINGER:	AYE
MR. KARNAVEZOS:	AYE
MR. GALLAGHER:	AYE
MR. ARGENIO:	AYE
MR. PETRO:	AYE

MR. PETRO: At this time, I open it back up to the Board for further input. Mark, do you have anything else you want to add to this. I think we covered it pretty good with this lady's help here.

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SHADOWFAX SUBDIVISION (03-23)

MR. PETRO: Okay, public hearings, the next is Shadowfax Run Subdivision on Jackson Avenue represented by Mr. Clearwater and Mr. Kartiganer. It's a proposed 22-lot residential subdivision. This is a public hearing. Folks, what we do in a public hearing is we review it first as a board and as such time as we deem appropriate, I open it up to the public for their comment. We close the public hearing and then review it again as a board. Also for anybody coming up late, Mr. Clearwater, right behind you, could you put those agendas back up on that. There's agendas on this side here and on the other side if anybody is here for the condo project, there is information you might find useful and that's over on this side. This application proposes a subdivision of a 70-acre parcel into 22 single family residential lots. The plan was previously reviewed at the 23 July 2003, 25 February 2004, 12 May 2004, 9 March 2005, 25 May 2005 Planning Board meetings. Seems like I should send you a Christmas card. The application is before the board for a public hearing at this meeting. The property is in an R-1 zone in the town and the layout of the plan has received numerous reviews with most attention to the roadway access point. The locations of the wetlands and potential drainage problems. You might as well just go briefly and bring us up to date. I think this is the plan we seen last time.

MR. CLEARWATER: Yes, as you correctly note, this plan has been reviewed on numerous occasions. When last we were here in May, the Board had asked us to move the location of the entrance road about 70 feet to the south and the plans that we submitted, we did that and the plan that we submitted for the Board's review reflected that change. You also asked us to continue discussions with the Highway Superintendent, Henry Kroll and in order to get his approval of that location. Since then, since the plan has been submitted, we have changed the road twice more and in an effort to address Mr. Kroll's concerns. What we have basically come up with, we think is the best that can be had. It is a slight modification on what was submitted for the Board's review a month ago. In any case, the plans that we have tonight, shows the road in a slightly different configuration than what was submitted to the Board in that it realigns a section of Jackson Avenue to help with the site distance. Mr. Kroll's main concern was the site distance triangles, looking left and right from the new road intersection. By realigning a section of Jackson Avenue immediately in front of where the intersection is, we are able to eliminate any need for an easement or grading off the road on the south side looking to the south from the intersection. Looking to the north, however, it needs a slight triangle easement to this green area to be able to see to the north.

MR. ARGENIO: Mr. Clearwater, the plan in front of me shows an easement to the south and the north.

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MR. CLEARWATER: That's correct.

MR. ARGENIO: Okay, you only have colored in on the north side.

MR. CLEARWATER: That's correct.

MR. ARGENIO: So, I have an old plan.

MR. CLEARWATER: All of you do, like I said the plan was, the entrance was slightly changed in an effort to address Mr. Kroll's concerns.

MR. ARGENIO: Okay, I just wanted to make sure I'm on the right papers.

MR. CLEARWATER: What we did was realign Jackson Avenue here a little bit to the east to eliminate that problem looking to the south. We continued to work with Mr. Kroll to try tolooking to the north. In order to do that, we had to straighten out the road even further. By doing that, Jackson Avenue itself suffers in that the curves become sharper, especially to the north and we didn't feel that by solving the site triangle problem it was truly the way to go because it created a bigger problem on Jackson. We solved one problem at the expense of the other and that we didn't feel was the correct way to do it. So, this is the plan, this configuration is the way we would like to proceed.

MR. KARTIGANER: Just to point out this configuration, the roadway location as it enters into Jackson Avenue is exactly the same as your overall general plan. The only thing that's changed is this gray area here where Jackson Avenue currently exists and was being proposed in order to take the bow out of Jackson Avenue, which reduces the site distance problems but also reduces the areas of maintenance, what Mr. Kroll's concerned about we will move Jackson Avenue in approximately 40 feet. What that's done is taking away the site triangle to the south and left us with a smaller one to the north. The problem we have in terms of moving this, in terms of what Jim's talking about, is that this turn gets very sharp for a 40 mph road. As it stands now, in this plan that you have before you, all met the New York State DOT requirements for a 40 mile per hour road in terms of site distance. This is an improvement on it that we worked through with Mr. Kroll, we're still working through portions of it, but, generally this is not a substantial change to the preliminary plans that you're looking at. In essence, this road is exactly the same location and the only thing that's changing when before we were talking about regrading Jackson Avenue, what we're talking about now is relocating and recreating Jackson Avenue to make it an improvement overall to the.

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MR. ARGENIO: Can I ask two questions, one, why don't we have that plan. Why don't we have the benefit of that plan.

MR. KARTIGANER: Because it was worked out about two days ago and its still be revised. and you have a copy of it someplace.

MR. SCHLESINGER: Are you saying that now there may be a problem with the speed limit on the road because we have this sharp turn.

MR. KARTIGANER: No, with this plan there isn't, the issue that came up, Mr. Kroll was wanting us to eliminate this triangular portion here, which is approximately 18 feet deep and 310 feet wide because he did not want to be responsible for maintenance of this additional area. In order to do that, we would have had to make this curve sharper, which we did not do that.

MR. PETRO: But, you did not do that. You did not do that, Okay, it was a little confusing.

MR. KARTIGANER: A or B.

MR. CLEARWATER: We tried to do it but, it to solve this site distance problem, it is at the expense of Jackson itself, which is not good.

MR. ARGENIO: Did you change the vertical data of the road as well.

MR. CLEARWATER: Yes, because Jackson Avenue now is posted at 40 miles per hour but, it's not a 40 miles per hour road. I mean it's not designed as one as 40 miles per hour.

MR. SCHLESINGER: This now is your final submission. This is your plan, this is what you want to do right and there's no problem as far as maintenance on the north side of the road.

MR. KARTIGANER: We still need some conversations with Mr. Kroll here. He's not happy with this, that issue has not been resolved.

MR. SCHLESINGER: And the last time you were here you said you were willing to bond that.

MR. KARTIGANER: We are prepared to bond that. If there is a cost related to maintaining that and we can come to a number that says Town of New Windsor for maintaining the 15 feet deep by 310 foot lineal strip of road next to the road, if you can put a number on that we will bond that over.

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MR. SCHLESINGER: And the sight distance is within the correct qualifications as far as speed limit, policy and everything.

MR. KARTIGANER: Yes.

MR. PETRO: Okay, gentlemen, you know what, I heard enough about the road because we're not going to design it here and we're not going to approve it here. So, at this time, 20 addressed envelopes containing the public notice pertaining to this case were mailed out on the 13th day of July 2005. If someone would like to speak for or against or just make comment on this application, you can turn that around now Jim so the public can see it. Be recognized by the chair, come forward. Bill Steidle, you might as well come up first. Sign in.

MR. STEIDLE: I appreciate the opportunity to speak tonight, my name is Bill Steidle, I reside at 575 Jackson Avenue, my wife and I own a Christmas Tree Farm at that location. It adjoins the south end of the project site. I'd just like to start by thanking the Board for the courtesy that it has extended to me over the years that I've been attending Planning Board meetings and I appreciate the welcome. I'd also like to thank the Highway Superintendent for the efforts that he's made in reviewing the project, he has been to the site many times and I think fully understands the issues at hand. Now let me also say that the property owners, John Waugh and his wife has been good stewards of the property for a good many years. They've been good neighbors and they certainly have environmental consideration in keeping their property for those years. I am not opposed to development, I am not opposed to the subdivision of the property into building lots, I am, however, vehemently opposed to the work that's proposed on a public road. The public road is Jackson Avenue and the work extends from the front of my house in a northerly direction. The work includes a cut and fill of Jackson Avenue 975 feet of cut and fill where the road will be lowered and then filled in part. It also includes the removal of red cedar hedge rows on both sides of the road for a distance of about 1,000 feet on each side of the road. The red cedar hedge rows contain trees that are at least 50 years old. On the east side of the road the vegetation would be removed for a distance of 550 feet and put into a permanent site easement where no vegetation would be allowed to grow. Now, let me just make one thing clear, I have FOILED the file, probably a dozen times over the years, most recently I went in and met with Myra about a week ago. I spent \$58.00 to reproduce a full set of plans, twelve sheets, and those are the plans that you have in front of you. Now the plan that was just shown to you has to be dated within the last day or two. That's a brand new plan. It is not appropriate in my mind for discussion at the public hearing in that it's never been part of the file. So, my comments tonight relate to the project that was before the board at the last meeting. The plans that were in force when I received the public notice and, again, that includes very, very substantial modifications to Jackson Avenue. Four

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football fields worth and make no mistake, it's a big, big project. No let me, I know some of you have not been to the site, I spent a lot of time considering how to help you understand what the impacts are. I know you like pictures and maps and all that stuff so I brought a picture that I hope will help you understand what the project means to me, and if I might. The artist who painted this, it's my house, the artist who painted this was sitting next to Jackson Avenue about midway in the area to be reconstructed and that, again is 1,200 feet. The artist, if the artist were to paint the picture post-project, the artist would be sitting three feet lower looking into an embankment and there would be no vegetation on either side of the road. Now there is one break in the cedars and that's what you have here, otherwise, it's a continuous row of cedars next to some deciduous trees on both sides of Jackson Avenue. It's one of the nicest sections of roadways that you'll find in Orange County. So, those are impacts. I look out on Jackson Avenue every day. My family has paid highway taxes for about 100 years. It's a public road. The house has been there since the 1880's and it has a great deal of meaning to me. I don't oppose development, but, I do oppose the destruction of the public road, particularly when there are reasonable alternatives that exist where you wouldn't have to do anything to Jackson Avenue other than put the road and Henry Kroll provided that guidance in 2004, he sent a letter saying that there was an area where Jackson Avenue was flat and straight where a road could be constructed which has adequate site distance in both directions. No modifications to Jackson Avenue. Now the drawback there is it's near the seller's house but, there are even alternatives to shift that a bit so that the owner or the seller is not unduly harmed by the project. Now, let me just show that alternative if I might, this is a plan that was in the file. The plan that Henry Kroll has indicated has an acceptable entrance location, has adequate site distance in both directions, it allows for the development to go forth, same number of lots, no difference in the number of lots, in fact the town road to be dedicated to the town would be a little bit shorter. It's a direct connection to the development, it's a little bit nicer design and offers many benefits.

MR. PETRO: Bill, they claim that it floods in that area.

MR. STEIDLE: Okay, let me just go on. Now the applicant has stated that there are two reasons and two reasons only why that alternative is not being pursued. I'd like to go into those in some detail. Flooding was stated to be a reason, a major reason and I want to tell you the information you received was not fully accurate. Now, I'm going to just give you a little bit of background. I've lived in the house since 1972 fulltime with my grandparents before that. I drove to New Paltz for 30 years north by this site. I'm a Christmas tree grower. I have six fields, four of which are next to the stream and four of which are in the fringes of the flood plain. I have planted over 25,000 trees, no one is more interested in

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flooding and the impacts of flooding than myself. So, from '72 to 2005 I've personally been there and observed the situation. My grandfather died in 1947. From 1947 to 1972, my father took care of the place. A very astute person, know the person that owned your house, Art Maharay, very well. Now, he told me probably 20 times in my lifetime that once they replaced the Waugh's bridge and that was a 17 by 14 box culvert, once that bridge was replaced in the mid 1950's it never flooded and it has never flooded since I've been there from 1972. So, flooding down at the Waugh's bridge is not an issue, it does not flood. That's all I can tell you, you have 20 people out here that have been here for 50 years that can tell you that. Now, this entrance, it was stated, was in an area that floods. This entrance that section of road has never flooded in 50 years, I can tell you that based on observation for the last 35 years and the representations from my father. Now, there was one instance of flooding about 10 years ago where a 12 inch culvert got plugged with ice, the road flooded, it was in the wee hours of the morning, as Mr. Kartiganer so kindly brings up, I was the one who gave the person who got stuck there a ride home, a young 17 year old girl who lived on Mt. Airy Road. It flooded once, it was a couple of hours and it was not in the area of the entrance. It would not have effected that entrance so flooding, in my belief, is not an issue and all the things that have been said have been twisted and taken out of context. Now, you've seen photographs, I will tell you that the first set of photographs was pre-1955 when the bridge was replaced. It was pre-bridge replacement. The next set of photographs that was shown shows flooding on each side of the road, it does not show flooding of the road itself, and then, the last set, was the one instance where ice plugged the 12 inch culvert and it's now been replaced with a 24 inch culvert and that's been no problem.

MR. PETRO: Bill, let's go on to a different subject because I think you made your point there, it doesn't flood.

MR. STEIDLE: Let me just say one thing on the flooding, they prepared a flood study and it took me a while to figure out what the problem with that flood study was. I looked at it and it shows 10-year storm, 10-year storm floods certain fields and certain low areas, same with the 50. What it doesn't take into account is that Jackson Avenue is raised. It's significantly higher than the surrounding lands and it does not flood in a 10-year storm. Simply does not flood, Henry Kroll has been there his entire life, he can confirm that, as can many people in the audience. Wetlands were the other issue that was raised. Now, I have a little knowledge of wetlands, I worked for DEC for three decades. All those years I was in the regulatory program or regulatory unit. Wetlands were, in fact, the primary way I made a living for the last 25 years. I was considered to be an expert in the field and I testified in all courts, I've been subpoenaed as an expert witness in federal courts to discuss wetlands. I have 25 years of knowledge in the

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area of wetlands. Now, if you look at the plan and try to assess impacts, the first thing you would look for is old farm roads, now, because old farm roads are disturbed, new roads go very well in the areas of old roads because they've already been disturbed. There are two farm roads that exist, currently exist, in the descending of this entrance, one has been in use for 150 years or more, the other is a newer entrance over here. Either of those locations would be suitable from a wetlands standpoint and, in fact, would be superior than that which is proposed. In the worst case, you're talking about 100 feet of wetlands, you're talking about 1/3 of an acre, you could create wetlands as mitigation that would replace the incremental loss and, in fact, if you were to spend the amount of money that the Jackson Avenue reconstruction on wetlands enhancement, you could have the best wetlands mitigation project that was ever created, there's no question in my mind. So, in conclusion on those issues, flooding just does not occur to the extent and the locations that have been indicated, it is simply not true. Wetlands, the impacts are incremental, I mean they're very very small, they can be overcome, there's no need to modify 1,000 feet of Jackson Avenue because of 100 feet of wetlands, it's just incredible to think that that's what's being proposed.

MR. PETRO: Bill, you got to finish up.

MR. STEIDLE: Okay, I have just a couple of quick comments, number one the wetlands boundary, I talked to DEC recently, the wetlands boundary depicted on the plan has not, in fact, been certified by DEC. That's a requirement, has been for 20 years or more. Lot #1 has a 20 foot separation between the house and the Central Hudson utility easement. From my perspective, come on guys, we got 70 acres there. Can't we provide a greater separation than 20 feet from the back of a house to a high tension power line that provides the sole source of electricity to the Union Avenue Substation that is being doubled in size. You guys looked at it. The plan that I reviewed, paid \$58.00 for under FOIL, doesn't include an erosion control plan. There is no erosion control plan included. My last comment, sidewalks and streetlights are inappropriate for this area. You've heard that before, they're appropriate in certain instances, they are not appropriate in an agricultural district in a rural residential zone, next to a Christmas tree farm that makes its living on nice rural environment. So, I conclude that I will tell you that my farm is a special place, it was a special place when my grandparents took in borders in the great depression, it's a special place now, I get over 1,000 people a day, days I'm open at Christmas time and I'm happy to say that the farm is protected from development in perpetuity and there is a conservation easement to that effect with the Orange County Land Trust. Now, I'm just going to close, I'm going to tell you of a story that I read in the Times Herald Record recently, you may have seen it, it was about a family in Monroe, that had been in Monroe for over 200 years. They were leaving Monroe to go upstate to a place that reminded

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them of what Monroe looked like 50 years ago and the person said something to the effect that, "He wasn't leaving Monroe, Monroe had left him". And I say to you, my family has been there 100 years, I hope that in 2 years, I don't have to say New Windsor left me. Thank you.

MR. PETRO: Okay, while Bill's cleaning up, is there someone else who wants to speak, now on a different subject please, something we didn't already go over, I don't want to hear about flooding any more, I think I can write a book.

MR. WAUGH: Yes, I'm John Waugh, the owner of the property. I'm afraid I'm going to have to talk about flooding just a little bit, because obviously it has to do with the project, I will try not to, I don't think I'm as good a public speaker as Bill so I'm not going to I'm John Waugh, the owner of the property and obviously I have an interest in this development going through. I live right across from it on the western side of Jackson Avenue. Bill had mentioned a couple of things, and I could get equally emotional as Bill about the area, it is a beautiful area, I love it, my father moved there because he loved it and he was a painter, he was a landscape painter and that's why he bought the place. I've been there since 1948, the year I was born and paid taxes all this time and as Bill said, I've been a good steward. What we're asking is something very simple and that is we're simply asking that we can go ahead with development that we've designed to be as good as possible given the constraints that the road superintendent has put on us. If there was another solution, then we would do that. I think it's kind of interesting that we had this proposal and it was put before the road superintendent and he came back and said no, you got to put the road here and where is here, right across from my house. Now, our road is not across from Bill Steidle's house it's hundreds of feet down to the north, but, where did Kroll want it, right directly, smack down, across from my front door.

MR. PETRO: I think that was over top of an old farm road though, there was more reason to it than..

MR. WAUGH: Actually, that's another thing that Bill mentioned, but that farm road we had that cut through fifteen years ago. It's no longer a farm road, there's a farm road here.

MR. WAUGH: Yeah, we had that cut through with the purpose being that the wetlands would be a more continuous wetlands which is a beautiful wetlands, I mean Bill talks about the red cedars but, the wetlands themselves are a tremendous feature of that area so the farm road is not there. There is another farm road further to the north of that but, it is my understanding that that would

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not meet the site distance either. I just wanted to address a couple of issues, one effect on the neighbors, two the safety and three the environment. We tried to work with Mr. Steidle to try to suggest some possible mitigating solutions, one of those was to plant barrier trees on our land on the other side of Jackson Avenue from the development in other works in the side that I live on which would provide some a block of the view from that road. Another was to sell him that lot at cost and keep it forever wild and another was to put some barrier land into a trust similar to what he's done with his own, or not trust, whatever it's called, I'm not that familiar with the legalities.

MR. CLEARWATER: Easement.

MR. WAUGH: Easement. So there are things that can be done and we've offered to do those. Whether or not they will get done, I don't know, a lot depends on how this project goes. We moved the road access further north to move it away from Bill's house at the request of the Road Superintendent, so he is much further down than was originally proposed. I don't think we're asking anything really out of the ordinary here. There are a lot of developments that are put up and yes, people do see houses across the road and yes they do have road accesses nearby and I just don't think that this is the big deal that Bill is making it to be because it's something that's going on all the time. We're going to have the development across from our place too.

MR. PETRO: I don't think it's the big deal that Bill's making it and I think it's more of a deal than you're making it and we've been looking at this thing for a long time and I'll tell you I don't think we are any closer to resolving it than we were three years ago or two years ago, when was it first brought in here 2003.

MR. WAUGH: Well, that's one of my points is that it's been a long time and I don't know personally whether it has to do with the fact that Henry Kroll's wife is related to Bill Steidle's wife, now I don't know whether or not it has anything to do with it. I don't want to think that and I don't think that but, it's been a couple of years now and the proposals, we've met, we've met with Mr. Kroll and we solved all the problems that he's come up with. There is a potential for flooding there. It's not there was a flood as Bill said at that one location not long ago, it was hurricane Floyd. Ice chunks plugged up the culvert there and regardless of whether the other one has flooded in recent history, it did flood before but, regardless of whether it's been improved and it maybe it hasn't flooded in the last X number of years, it could because there is a culvert there that gets very close to flooding and all it would take is an ice chunk or a couple of old trees to plug that one. If you have both of those culverts plugged up, you are going to lose access to Mr. Kroll's proposed road. Uh, has it happened, no, not in

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recent memory but can it, yes. It definitely can. To me that safety issue is very important. I don't even understand why it wouldn't be considered the main issue there because it's safety, you are talking about people's lives here.

MR. ARGENIO: Is there anything, Mr. Waugh, that's new and additional that you have there in those notes, above and beyond what Mr. Steidle spoke of.

MR. WAUGH: Well, Bill didn't mention the actual amount, but, it would disturb three or four times the amount of wetlands to put it where Mr. Kroll would like to put it.

MR. ARGENIO: Yes, I would like to see that.

MR. WAUGH: I guess the only other thing that you know also, but, I'd like the public to hear that too is that in order to, wetland consultants have said that this would not be approved, the place where Mr. Kroll would like to put it, because there is an alternative, a perfectly viable alternative and it's their job to not allow the wetlands disturbance if there's a viable alternative which would not require a permit and there is.

MR. PETRO: You see, you have to understand, they are saying the same thing in reverse. You have an alternative to put it where they want, he's the Highway Superintendent and you have other outside agencies that say it may or may not be safe at 40 miles per hour, we know nobody does the speed limit, at 45 it becomes unsafe. Obviously, like Mark said today, you can't go around making every road safe at 80 miles per hour but, there's other reasons not just because Mr. Kroll or Mr. Steidle, there's more to it. You can't belittle all that we've gone through and I know that you know what I'm talking about, there's more to it than meets the eye and I think that your correlation between his wife being a cousin.

MR. WAUGH: I'm not making that correlation.

MR. PETRO: I find it offensive and I think you're silly and I don't think you should do it again or you are going to have to sit down. Let me finish now, I'm talking. So, if you think that influences this board, you need to see somebody, okay, because it doesn't. Now, I've heard enough about this road, I'm tired of hearing about it and we're not settling it, it's not going to be settled here and that's it. Mr. Steidle, you brought up something else too, are you complaining that the site plan that was on review tonight was not the site plan that was put up for the public hearing and you are offended by that or do you find it acceptable.

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MR. STEIDLE: I'm very disappointed, I mean, I foiled the file and Myra can tell you, I called her fifty times, I foiled the file, that plan that was discussed by Mr. Clearwater is not in the file, was not in the file a couple of days ago and I went through the file and it's inappropriate, it may be appropriate to discuss at a planning board meeting but, it is not appropriate to bring that plan in on the night of the public hearing.

MR. PETRO: Well, let me tell you something and I don't disagree with you and that's why I was against the public hearing to start with with a plan that doesn't show the road in the right spot. Now, here's what we are going to do, cause I'm getting ready to just to take this down. You're done. Not now, until you hear what I have to say. I will either table the public hearing if you would like that and come back with a plan that is viable that has what you are planning to build on it, because obviously that's not going to work, or I will close this public hearing and we will have another public hearing when you are ready. Either way.

MR. KARTIGANER: May I respond to some of the comments that you're acting on, and I'll do it very quickly Mr. Chairman.

MR. PETRO: Sure, quickly though, we spent 35 minutes on whether or not it floods and if the road comes out over there, because I've been to the site four times and I'm tired of looking at it.

MR. KARTIGANER: I'm tired of looking at it too, we're all tired of looking at it. Mr. Steidle has made a lot of claims that are not particularly always accurate. His comment about wetlands..

MR. PETRO: Address the Board though, adjust the board so I can see it.

MR. KARTIGANER: We have Mr. Griggs here who is a wetlands consultant, who delineated the wetlands for us. It's currently with the Army Corps of Engineers consistent with policy consistent with the standard subdivision approval procedure that you've got. Mr. Griggs is an expert in this. He's detailed specifically to us that the alternate location that Mr. Steidle and Mr. Kroll originally proposed, which was in this location, will be crossing wetlands. In so doing, he also detailed that we will not get the permit because it will require a larger permit and a higher level permit than allowed and the first thing they say is that you cannot go someplace when you've got an alternate that's viable, which is what this plan is. The next point I'll make to you is Mr. Steidle has said there is no flooding there. Unfortunately, Mr. Waugh handed me photographs which provided four years worth of flooding documentation, photographic documentation, which was confirmed by Mr. Steidle the night that we presented

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that information in that he helped a woman get out of a car. The nature of the flooding is such, and this is for you but, I'll show the public so they get the correct answer. I'm just going to give a second. The road location they wanted would be caught between these two locations, if any of you can see it. I'd like to make sure that you understand it in a very visual way. This black road is where he wants to put it. You're going to have 450 lineal feet to one side and close to 700 lineal feet to the other side. Twenty one houses will get off from flooding. That is against the first requirement of the Planning Board standard which is to protect life, health and safety against a flood and a variety of other things. With regard to the Superintendent of Highways' comments here, he rejected this plan, a similar plan to this previously, the first plan, he said he didn't like the sight distance requirement. We have reworked it and currently, according to his own engineer who wrote a memo that was referenced to us last time as being something saying this plan is wrong, I'll read you the first point from the memo cause the only thing that Henry Kroll has had a problem with this plan to date is that, and I'll read it specifically, "Please be advised I disapprove the initial proposed road entrance to the above mentioned subdivision due to lack of sight distance." That is the only requirement and the only condition that Henry Kroll can make. The first letter from his Hudson Engineering, which is doing the entire repaving of this road, that was sent to Henry Kroll April 26th before they met with our consultants, in which we detailed the flooding and which we detailed the wetlands was in accordance with New York State DOT policy and standards for entrances to state highways. The proposal meets a minimum criteria for intersection stopping sight distance based on a design speed of 40 miles per hour. That would be this plan. The plan that we proposed as an alternate, we worked with Henry Kroll to improve this plan, but, this plan meets the sight distance requirement in accordance with New York State Code and in accordance with the Town of New Windsor Code and Standards. The Highway Superintendent does not have the right to tell us where to put the road, that's our choice. This Board, as Mr. Petro has mentioned to you in some point in time, is an administrative board that requires that any applicant meets the necessary requirements of the zoning and planning standards. This plan meets those standards. We get to choose where the road goes and we don't particularly care to put it in the wetlands location. When Mr. Steidle talks about all this beautiful stuff and he shows you the beautiful picture he misses the 100 or 50 foot worth of power lines that cut between his property and this property and he misses the fact that we're 500 feet away and you have to look through those power lines. He also skips the fact that we're taking close to 800 lineal feet and we're delineating, along Jackson Avenue, to be forever wild. He also claims that we're cutting down 2,000 lineal feet worth of trees, which we're not. There is a 350 foot lineal hedge row there that will be removed in order to make the road safer if we do this plan, which is preferable based on everything we've looked at. The problem is that the Waughs can cut down those trees today.

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MR. PETRO: Just let me stop you and interrupt you. If everybody's so smart on both sides, why can't you get this figured out.

MR. KARTIGANER: It is figured out. This is the best plan that can be done on this site. There is no other location to do it. Your comment was to take it from up here, which had a dip and move it here.

MR. PETRO: I visited there myself and there was a dip there and a

MR. KARTIGANER: We moved it in accordance with your comment and we improved it based on your comment which is what goes on for planning board presentation in this process and we've adapted it every way. We've talked to Henry Kroll I can't tell you how many times to improve this plan to the maximum possibility of making it work and by straightening out this road, we're going to improve the quality of this road, which Mr. Steidle had requested at some point in the initial stages that be dropped to 30 miles per hour. There own consultant sits there and says that the letter that we received the last time which was basically saying that this road, this doesn't work or something to that effect, specifically states that it would be better if we stuck it someplace down here. The problem is, it also specifically states that it is recognized the engineering constraints, wetlands, deep slopes, etc. could influence the location to the north, but for traffic, safety and operational standpoint, that area would be preferable. We worked on a plan, the plan that Mr. Steidle is the plan that we came up with and it wasn't until I found out from the Waughs who provided us with forty years worth of photographic documentation that it floods. I mean, I want you to understand..

MR. ARGENIO: Mr. Kartiganer, let me just say something. I agree with a lot of what you said and I'm surprised that I would even say but, I do agree with a lot of what you are saying. I think Mr. Steidle has got some good points, but there is one hurdle that I'm having a problem with sitting up here and that's the fact, and I brought this up before, we're sitting here as a Planning Board and you guys come here for a public hearing and Bill Steidle, while I disagree with a good portion of what he said and that's only personal opinion, but, he hits the nail right square on the head when he says why are you here for a public hearing and you present a plan that we don't have, the board members don't have, let me finish, the Board Members don't have the luxury of viewing it and the public doesn't have the opportunity to review it in Myra's office. That's not fair and I'm not going to beat this to death but, and again I don't want to, we have a lot to go through tonight and I'm sure there's a lot of folks here that have opinions and things to say and Mr. Waugh I have no problem with a lot of things you said. You make a lot of sense in a lot of ways, but I agree with Mr. Petro, the Chairman, that because of what I just said, I think this public hearing should be tabled or rescheduled and Mr. Kartiganer you need to give the public the

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opportunity to look at the plans and that's what needs to happen. Right is right and that's what needs to happen. That's the essence of the public review process.

MR. SCHLESINGER: I agree.

MR. ARGENIO: And I agree with a lot of your technical points, I honestly do.

MR. PETRO: There is one more thing too that everybody just keeps going over and not making mention of other than Mr. Steidle and I grew up there myself just one road over, the people don't want the road changed. You are not really hearing that.

MR. KARTIGANER: I'm hearing that they don't want the road changed.

MR. PETRO: They don't want the road lowered three feet. They don't want it move din 40 feet. They want it the way it is. Now it's been that way, I'm 52 and it's been there since I was born and I've never known somebody to have a major problem there on that road. I travel it every day. They don't want it changed. So with that in mind, I think we need to look at other options. I keep saying it over and over and over but, it just falls on deaf ears.

MR. KARTIGANER: It doesn't because there are no other options and the one problem that you have in saying that is the consultant for Hudson Valley Engineering, which is the consultant doing the resurfacing of the entire road, effectively called this road in this particular area defective and in his memo that you received and presented to us at that time, what they're effectively saying is that it's not set for a 40 mile per hour road but, they do say that, what regrading meets the minimum entrance requirement, where does it say, I don't want to get into it. Basically, what he is saying is that this road is defective as it stands now. Based on New York State DOT standards for a 40 mile per hour road, independent of where this goes in, and what he states specifically here, an engineer licensed in the State of New York, is that this meets the minimum site plan requirements as necessary. So we can present this plan with the road like this and not worry about little triangles that Mr. Kroll's concerned about because basically, Mr. Kroll's comments, and this came from Mr. Kroll's office, effectively says it's finished. I mean we're back here...

MR. CORDISCO: Mr. Chairman, if I may be heard.

MR. PETRO: No hold on.

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MR. SCHLESINGER: It's a matter of procedure. If we're going to discuss something at a public hearing, then we should discuss the plans that were in the plans and if there was a change made, then you have to either withdraw your other plan or put these plans on the table and have the appropriate public hearing but, to discuss something that we were not familiar with, I don't think is appropriate and, uh, if you want to discuss the plans that were in the file that Mr. Steidle had the opportunity to review and everybody else had the opportunity to review then that's all fair game but, not a new set of plans.

MR. PETRO: I don't want to hear from attorneys.

MR. RONES: Mr. Chairman, I have several other procedural points, I'm not going to talk about the road, I'm not going to talk about...

MR. PETRO: Then wait till after the public hearing then.

MR. RONES: But, they are comments that should be part of the public hearing if I may be so bold.

MR. PETRO: Joe, I don't want to hear no more, I've really had it with this. There's a lady that wants to talk about something else. Do you have some other subject that you want to talk about on this.

MS. SHORING: Yes, I'm really confused because why is it a 40 mile per hour road. I thought the Town of New Windsor had a 30 mile per hour speed limit. Because that's what I've been told on our street. They can't make it any lower than 30 miles per hour so why is that road which certainly shouldn't be 40 miles an hour, 40 miles an hour.

MR. EDSALL: All roads are not 30 miles an hour. You can contact the Highway Department see when that speed limit was established. But, there's not a uniform 30 mile an hour speed limit.

MS. SHORING: Well, even recently the police told us that when we asked about why the people were allowed to speed around our cul-de-sac, they said it was 30 miles per hour and they couldn't make it any lower. So I'm confused about that.

MR. EDSALL: That's not a planning board issue.

MS. SHORING: Oh, I'm sorry, I didn't give you my name. Maureen Shoring, 4 Oxford Road. And, I have another comment because you know, I sit here and I listen to people who seem to have concerns, many have concerns about

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trees which we see being cut down on a daily basis and people have property, if they sell the property then they have the right to do what they want with the property. I might not agree with it but, they have the right. But, it seems to me that part of the hearing here tonight or the comments were something that I would have said that I heard my grandmother say, "You cannot have your cake and eat it too." So, if you sell the property and they put the entrance across from your house, oh well.

MR. CORDISCO: I don't want to talk about the road and I'm not going to talk about the wetlands other than to say that the wetlands delineation, if it was done, it should be certified by the state. It's standard practice, I don't know why it wasn't done here. Now, I'm not going to get into a debate about this but, as I said in my letter, this is a type I action because it's in an agricultural district. Type I action triggers several requirements; first of which is that there needs to be a long form environmental assessment form. There was only a long form environmental assessment form submitted in May of 2005, just a month ago on this project. That long form should have been submitted with the original application. The idea behind a long form is so that everybody can understand all of the impacts. That long form in a Type I action has to be circulated to all the other potentially involved agencies. That is a procedural defect I know you don't want to hear about procedure so, bear with me for a moment. That needs to be done now. I would suggest that you close the public hearing but, have another public hearing in the future at some point when after the recirculation is done so that you can have comments from all the involved agencies and informed comments. The short for EAF that was submitted basically has no information in it whatsoever. So it doesn't put anybody on notice as to what potential impacts are resulting. Now, also, this project would trigger referral to the County Planning Department because it affects an agricultural district. That referral should also be made.

MR. PETRO: We know that so..

MR. CORDISCO: Understood, but, those comments should come in before the public hearing is held again so that the public can see not only whatever the current plan is but, can also see the comments of all the other involved agencies so that the public can make an informed and educated comment themselves on the plan. They have been denied that opportunity at this point. I suggest that, if you would, close the public hearing, re-circulate the long form environmental assessment form and reschedule the public hearing at some later date.

MR. PETRO: I'll let you know my decision in a minute. Joe, I'm going to let you finish up.

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MR. RONES: I was just going to concur in part that the reason for the change in plan was because of required consultation and negotiation with the Highway Superintendent and that's the reason the plan changed the location.

MR. PETRO: There you go, I said five times, "I don't want to schedule a public hearing until the plan was complete." Then your other counsel twisted my arm until I finally gave in and said alright we'll schedule a public hearing, try to have it resolved with Mr. Kroll and Mr. Steidle and the applicants prior, obviously, it wasn't.

MR. RONES: At this point, a lot of very important information has been made as part of the public record, we would like to preserve that while the process continues and the SEQRA process continues and so we would concur with the chair's suggestion that the public hearing be adjourned, tabled held open pending the receipt of further information based on the comments received from the public tonight.

MR. PETRO: It's just as easy to close it now, either way. Why do you prefer the other way.

MR. KARTIGANER: Because in a month, we'll have the comments from the Orange County Planning Department and except for those, do you circulate or do I circulate the long form that you had.

MR. EDSALL: It'll be done by the town.

MR. RONES: Yes, so those processes should be complete.

MR. PETRO: I've done it either way, so it doesn't matter.

MR. KARTIGANER: I prefer keeping it open because then you continue to receive public comment.

MR. PETRO: Then you got all the mailings are going out, why everybody back. Do you understand, anybody who's here who hasn't had a chance to talk, the public hearing will continue but, we are going to have more information.

Multiple conversation.....

MR. PETRO: Okay, motion to table the public hearing.

MR. ARGENIO: I'll make the motion we table the public hearing.

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MR. SCHLESINGER: I'll second it.

MR. PETRO: Motion has been made and seconded the New Windsor Planning Board table the public hearing for the Shadowfax Run Development Major Subdivision on Jackson Avenue. Any discussion from the board members, if not Roll Call:

ROLL CALL:

MR. SCHLESINGER: AYE
MR. KARNAVEZOS: AYE
MR. GALLAGHER: AYE
MR. ARGENION: AYE
MR. PETRO: AYE

MR. ARGENIO: One thing, one thing, Mr. Chairman does the tabling of the public hearing, does it require a written mailing on the applicant's behalf of notifications.

MR. PETRO: Yes, it does.

MR. ARGENIO: It does.

MR. PETRO: We will do that.

Multiple conversation.

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NORTH PLANK DEVELOPMENT CO. SITE PLAN (05-26)

MR. PETRO: Okay, next on tonight's agenda is North Plank Development Company Site Plan. For the record, I have other interest with the gentleman that owns part of this company but, I have no interest in this application whatsoever and/or this company so I'm going to review this. Greg, why don't you start us off.

MR. SHAW: Thank you Mr. Chairman. The proposal before the board tonight is to construct a new 3,500 square foot office building on the west side of New York State Route 207 immediately north of the drive that accesses Newburgh Packing Corp. The parcel is 24,000 square feet in size and is located in the PI zone. We comply with all the requirements of your bulk table other than in the PI Zone you require a minimum lot area of 40,000 square feet. Again, we're providing 24,202. That is a non-conforming condition that presently exists. We cannot correct it. I may add that if you review your bulk tables, the use that we selected for this site requires the least amount of area of any of the uses in the PI zone even though it does not meet the 40,000 square feet.

MR. PETRO: Greg, you're not going to fall under the inaudible... because it's only one acre is that correct.

MR. SHAW: Correct. In addition to the office, what we are proposing also is a caretaker's residence on the second floor. You'll notice that the office will be serviced by approximately 25 parking spaces between the building itself and Rt. 207 and there are two parking spaces noted in the rear of the building near the entrance way for the caretaker's unit. So that is a brief overview Mr. Chairman. We are going to be serviced by town sewer and an individual well because there is no town water in that area and what we are requesting the board to do tonight is one, to circulate for lead agency, two to refer it to the County Planning Department and considering setting up a public hearing for special permit that will be required for the caretaker's residence.

MR. PETRO: The road is on what piece of property.

MR. SHAW: The road is on the parcel of Newburgh Packing Corp.

MR. PETRO: Okay, so you have an easement over it.

MR. SHAW: Correct.

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MR. PETRO: And I'm looking at the residence that is just up from it. There is a little strip of land between the road and the property lines for this office building and you're going to be crossing that strip of land. I guess, is this all one piece.

MR. SHAW: This is a separate parcel.

MR. PETRO: Okay, where's the property line, here.

MR. SHAW: This is all Newburgh Packing Corp.

MR. PETRO: All roads, you have an easement to get to it.

MR. SHAW: Correct.

MR. PETRO: That was unclear, I looked at that and it looks like a triangular piece.

MR. ARGENIO: Right, I see that.

MR. PETRO: And your curb cut is going to be off the private road

MR. SHAW: Correct.

MR. PETRO: Motion for Lead Agency.

MR. ARGENIO: I'll make the motion that we take Lead Agency of North Plank Development Company Site Plan.

MR. SCHLESINGER: Second.

MR. PETRO: Motion has been made and seconded that the New Windsor Planning Board declare itself lead agency for the North Plank Development Company Site Plan on Rt. 207. Any further comments from the Board Members. If not, roll call.

ROLL CALL:

MR. SCHLESINGER: AYE

MR. KARNAVEZOS: AYE

MR. GALLAGHER: AYE

MR. ARGENIO: AYE

MR. PETRO: AYE

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MR. PETRO: Motion to schedule a public hearing.

MR. ARGENIO: I'll make the motion we schedule the public hearing for the North Plank Development Company Site Plan.

MR. SCHLESINGER: Second.

MR. PETRO: Motion has been made and seconded that the New Windsor Planning Board schedule a mandatory public hearing, because of the caretaker's apartment, for the North Plank Development Company Site Plan on Rt. 207. Any further questions from the planning board, if not, roll call:

ROLL CALL:

MR. SCHLESINGER: AYE
MR. KARNAVEZOS: AYE
MR. GALLAGHER: AYE
MR. ARGENIO: AYE
MR. PETRO: AYE

MR. PETRO: What else do you need Greg.

MR. SHAW: Referral to the Orange County Planning Department being on a State Highway.

MR. EDSALL: I will take care of that.

MR. PETRO: Take care of that Mark, gentlemen, on the site plan itself, does anybody have any comments or on the addition, you have the 6 foot sidewalk, looks nice. Where's your dumpster enclosure, I didn't see it yet.

MR. SHAW: It's at the end of the parking area.

MR. PETRO: Okay, and that's being made out of the same material as the building, gated.

MR. SHAW: Yes.

MR. ARGENIO: Greg, does that dumpster enclosure have to go further to the north to allow for those last two stalls to be able to turn around.

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MR. SHAW: You have a 30 foot wide aisle. You should be able to back out of those spaces without turning the wheel and then be able to turn 90 degrees toward your exit of the site.

MR. ARGENIO: Okay, and we will have the appropriate plan for the public hearing, that's correct yes.

MR. SHAW: Yes.

MR. PETRO: That well is going to be in use with this building, there's no town water there.

MR. SHAW: No town water.

MR. PETRO: How about septic.

MR. SHAW: Town sewer is available right in the shoulder of the state highway.

MR. PETRO: Alright Greg, thank you.

MR. SHAW: Thank you.

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SANDCASTLE HOMES SUBDIVISION (05-23)

MR. PETRO: Next on tonight's agenda is Sandcastle Homes Commercial Subdivision on River Road Old Rt. 9W. The application proposes a subdivision of 3.23 acre parcel into three commercial lots. The plan was reviewed on a concept basis only, it's an NC zone, the bulk information included on the plan appears correct for permitted uses. However, it is an incomplete table. The plan should include all the listed information for NC bulk table and relative proposed values for each lot. Each lot is accurately sized to the requirements the plan indicates used for the site.

MR. COPPOLA: Mr. Chairman, we will try and be brief about this.

MR. PETRO: Just before you start, this is the big hole that we had looked at one other time, you're not doing what you had originally planned.

MR. CARDAROPOLI: We had planned for one large building with a garage on it.

MR. PETRO: It was two stories I believe at the time.

MR. CARDAROPOLI: Yes, two stories and a garage.

MR. COPPOLA: It was actually four levels, the garage plus three levels. 24,000 square feet.

MR. PETRO: Is this a brand new plan.

MR. COPPOLA: This is a brand new plan with a couple of exceptions. This is three office buildings. We decided this would be more marketable to break down the square footing. All the buildings are single story. They are all less than 5,000 square feet.

MR. ARGENIO: This is for a commercial subdivision, I don't have a plan

MR. PETRO: Hold on, hold on. What are we doing first Mark.

MR. EDSALL: The subdivision first.

MR. PETRO: Okay, we are doing the subdivision first, so let's not look at that plan.

MR. ARGENIO: We have the subdivision.

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MR. PETRO: Put the subdivision plan up there.

MR. COPPOLA: I don't have that.

MS. MASON: Here Anthony, use this one.

MR. CARDAROPOLI: Thank you Myra.

MR. COPPOLA: So these comments just went over the subdivision. So, I believe basically all the lots are conforming lots as were done by Hustance and Horowitz. They have done the original survey and topo several years ago. We contacted them after we laid out a new use for the site of three office buildings. So that's what is shown on their subdivision plans. The site plan shows a shared use of the two lower lots and that easement is reflected on their subdivision plan.

MR. PETRO: Mark, what do you see with the subdivision, let's go over it so I can take action here.

MR. EDSALL: Very quickly, the bulk table just has to be completed. The reason is they have to indicate uses or various uses for each lot is they are showing it as 10,000 and 10,000 is a variety of uses that are permitted but, there are also uses in the NC zone that these lots would not comply with so they should just indicate what group of uses are proposed so they would have a choice after the plan is approved. Tonight I suggest you take Lead Agency on the subdivision application and I will be forwarding the subdivision plan and the next application together to the DOT and to the County Planning Board.

MR. PETRO: All right, motion for lead agency.

MR. ARGENIO: I'll make the motion that we take Lead Agency, the Town of New Windsor Planning Board take Lead Agency for Sandcastle Homes Subdivision.

MR. SCHLESINGER: Second it.

MR. PETRO: Motion has been made and seconded that the Planning Board declare itself Lead Agency for the Sandcastle Homes Commercial Subdivision on River Road. Any further discussion from the Board Members, if not roll call.

ROLL CALL:

MR. SCHLESINGER: AYE

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MR. KARNAVEZOS: AYE
MR. GALLAGHER: AYE
MR. ARGENIO: AYE
MR. PETRO: AYE.

MR. PETRO: I think, you're going to forward to DOT Mark, I think that Orange County Planning Department for Review, you can take care of that also.

MR. EDSALL: I'll take care of both of those.

MR. PETRO: Now the public hearing I think, this is only my opinion, for a three lot subdivision I think that could be waived under our discretionary judgment because we will have a public hearing on the site plan. I don't think we need to have one on the subdivision, it's really quite meaningless.

MR. ARGENIO: I agree, especially in so much as there is a lot of commercial property around there.

MR. PETRO: Motion to waive the public hearing.

MR. ARGENIO: I'll make that motion that Town of New Windsor Planning Board waive the public hearing under its discretionary judgment for Sandcastle Homes Commercial Subdivision.

MR. SCHLESINGER: Second it.

MR. PETRO: Motion has been made and seconded that the New Windsor Planning Board waive the public hearing for Sandcastle Homes Commercial Subdivision on River Road per its discretionary judgment, is there any further comment from the members, if not roll call.

ROLL CALL:

MR. SCHLESINGER: AYE
MR. KARNAVEZOS: AYE
MR. GALLAGHER: AYE
MR. ARGENIO: AYE
MR. PETRO: AYE

MR. PETRO: That's as far as we can go tonight with that.

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they all have parking directly adjacent to the building, there will be one shared-use driveway for the two lower buildings. You know, we are dealing with the topography of the site, it's very unusual. There's a twenty foot difference between the top of the site and the bottom so these two lower buildings will be more or less, they are almost tucked into the hill on the topography and the building on the upper side will be just pretty much a one-story building, that's all you will see from the top of the site. So, we worked out everything else, the landscaping, the dumpster location.

MR. PETRO: There's a note here from Mark, I don't want to interrupt you, the site plan for lot 1 is indicated as an office with a drive-thru feature. The NC zone does permit banks, fast food establishments, both would normally have drive-thru's however, the parking requirements are not the same as office. The applicant's consultant should revise the parking requirement if this is what's proposed. So, if you will look at that and get that straightened out. You're now, unfortunately, Nick, you didn't build this a couple of years ago, you are now under the SP4 regulation with the water requirement so you are going to have to come up with a plan.

MR. COPPOLA: Yeah, we'll look at that again and conform to the regulations that are required right now.

MR. PETRO: Now, I guess what we're going to do is kind of review all three of these at the same time as one parcel and then do the subdivision so, it's kind of against what I said earlier but it still holds true what I said earlier, if you don't get the subdivision..

MR. CARDOROPOLI: Everything is off.

MR. PETRO: Well, you still have the site plan because we're reviewing it that way. It will all be on one site that's all.

MR. CARDOROPOLI: It's better to break it down with the terrain and everything. We're actually getting less space, it was hard.

MR. PETRO: Yeah, the side yards and that.

MR. CARDOROPOLI: It's easier to build and it's easier to rent.

MR. PETRO: All right there's a number of comments from Mark, I don't want to go over every one of them, it's getting late, we have a lot to do. You can take that with you, we'll take a motion for lead agency.

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MR. ARGENIO: I'll make the motion to circulate a Lead Agency Coordination Letter for Sandcastle Homes Site Plan.

MR. SCHLESINGER: Second.

MR. PETRO: Motion has been made and seconded the New Windsor Planning Board issue a Lead Agency Coordination Letter for the project to begin the SEQRA review process for Sandcastle Homes Site Plan on River Road. Any discussion from the Board, if not roll call.

ROLL CALL:

MR. SCHLESINGER: AYE
MR. KARNAVEZOS: AYE
MR. GALLAGHER: AYE
MR. ARGENIO: AYE
MR. PETRO: AYE

MR. PETRO: Anything else we can do tonight to facilitate this.

MR. ARGENIO: Can you set it up for a public hearing Mr. Chairman. You had mentioned that earlier.

MR. PETRO: Well, I definitely want to have a public hearing on this. Is the plan ready, you have a lot of comments here.

MR. ARGENIO: I agree.

MR. EDSALL: If you authorize it, we can make sure that the plans are ready.

MR. PETRO: I'll authorize the public hearing so that you don't have to come back but, you have to go to another work shop. Okay, when he's ready at the workshop we will set the public hearing.

MR. CARDOROPOLI: That sounds great.

MR. PETRO: Okay, motion to have the public hearing.

MR. ARGENIO: I'll make the motion.

MR. SCHLESINGER: Second it.

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MR. PETRO: Motion has been made and seconded to have the public hearing for the Sandcastle Homes Site Plan on River Road. Any further comments from the Board, if not roll call.

ROLL CALL:

MR. SCHLESINGER:	AYE
MR. KARNAVEZOS:	AYE
MR. GALLAGHER:	AYE
MR. ARGENIO:	AYE
MR. PETRO:	AYE

MR. EDSALL: Mr. Chairman, I'll also be sending this to the Orange County Planning Department.

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CONKLIN/CALLAHAN LOT LINE CHANGE (05-22)

MR. PETRO: Next on tonight's agenda is Conklin/Callahan Lot Line Change on Jackson Avenue represented by Bill Hildreth, proposed residential lot line change. I think this is very minor in nature. The application proposes the conveyance of approximately 2.5 acres from a lot 128 to Lot 129. The proposed lot line change does not create any non-conformity. The existing lot width for Lot 129 is pre-existing non-conforming and is not being affected by this lot line change. Bulk requirements shown are correct for the zone. Very good Bill, very nice. Bulk requirements you got it right.

MR. HILDRETH: Not entirely.

MR. PETRO: Close. With the exception of the side yard setback which should be 48 which you could change tomorrow. Very briefly, because I want to put about three minutes into this application. Show us where the land is coming off and where it's going. We already know its not creating a non-conforming use.

MR. HILDRETH: This is the old line here. Callahan and Conklin. The new line is here. This piece goes to Callahan.

MR. PETRO: Scratch out the one you're removing I think I already know.

MR. HILDRETH: This disappears.

MR. PETRO: Yeah, Okay very simple in nature. No non-conformities you said. No buildings in the way.

MR. ARGENIO: No barns.

MR. HILDRETH: The barn is gone. From back in the Pena Subdivision. What's on there is shown.

MR. PETRO: What's the size of the remaining lot.

MR. HILDRETH: 12.1 and your next item is the subdivision of that 12 acres.

MR. PETRO: Does Planning Board wish to assume lead agency.

MR. ARGENIO: I'll make a motion we assume lead agency of the Conklin/Callahan Lot Line Change.

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MR. SCHLESINGER: Second it.

MR. PETRO: Motion has been made and seconded that the New Windsor Planning Board assume Lead Agency of the Conklin/Callahan Lot Line Change on South Jackson Avenue. Any further discussion from the members, if not roll call.

ROLL CALL:

MR. SCHLESINGER: AYE
MR. KARNAVEZOS: AYE
MR. GALLAGHER: AYE
MR. ARGENIO: AYE
MR. PETRO: AYE

MR. PETRO: The Planning Board should determine if a public hearing will e necessary for this minor subdivision in the form of a lot line change or if same can be waived by it's discretionary judgment..

MR. ARGENIO: I don't think it's necessary Mr. Chairman.

MR. PETRO: I'll poll the Board.

MR. KARNAVEZOS: NO
MR. GALLAGHER: NO
MR. SCHLESINGER: NO

MR. ARGENIO: I make a motion we waive the public hearing for the Conklin/Callahan Lot Line Change.

MR. SCHLESINGER: Second.

MR. PETRO: Motion has been made and seconded that the Planning Board waive the public hearing under its discretionary judgment for the Conklin/Callahan Lot Line Change on South Jackson Avenue. Any further comments from the Board Members, if not roll call.

ROLL CALL:

MR. SCHLESINGER: AYE
MR. KARNAVEZOS: AYE
MR. GALLAGHER: AYE
MR. ARGENIO: AYE
MR. PETRO: AYE

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MR. ARGENIO: I make a motion we declare this a Negative Declaration on the Conklin/Callahan Lot Line Change.

MR. SCHLESINGER: Second it.

MR. PETRO: Motion has been made and seconded that the New Windsor Planning Board declare a Negative Declaration on the Conklin/Callahan Lot Line Change on South Jackson Avenue. Any further discussion from the Board Members, if not roll call.

ROLL CALL:

MR. SCHLESINGER:	AYE
MR. KARNAVEZOS:	AYE
MR. GALLAGHER:	AYE
MR. ARGENIO:	AYE
MR. PETRO	AYE

MR. PETRO: Motion for final approval. You have to make the change in the bulk tables.

MR. ARGENIO: I make the motion to approve the Conklin/Callahan Lot Line Change subject to correction of the bulk tables.

MR. SCHLESINGER: Second it.

MR. PETRO: Motion has been made and seconded that the New Windsor Planning Board grant final approval to the Conklin/Callahan Lot Line Change on South Jackson Avenue subject to the Bulk Table being corrected. Any further discussion from the Board Members, if not roll call.

ROLL CALL:

MR. SCHLESINGER:	AYE
MR. KARNAVEZOS:	AYE
MR. GALLAGHER:	AYE
MR. ARGENIO:	AYE
MR. PETRO:	AYE

MR. PETRO: I hope we didn't hold you up.

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IRA CONKLIN SUBDIVISION (05-21)

MR. PETRO: Okay, next will be Conklin Minor Subdivision on South Jackson Avenue this is the larger lot that we just saw. The application proposes the subdivision of a twelve acre parcel into two single-family residential lots. The plan is reviewed on a concept basis only. Are these two lots of a decent size Bill.

MR. HILDRETH: They are of unequal size, if you consider 5.5 acres small, that's the smaller one.

MR. PETRO: The remaining lands to be subdivided.

MR. HILDRETH: Yes, this is the twelve acres that we just decided we could do with the lot line change. This twelve acres that was just established by the Lot Line Change is now going to have about 5 and a half acres cut out of it right along this line here. The Conklin's existing house stays over here on six and a half acres and this is five and a half acres and now you can see how the new Callahan Lot Line Change lines fits in there. The rest of the remaining three or four sheets are septic and well designs that have been tested.

MR. PETRO: Well, notwithstanding the corrected side yard setback shown in the table, the plan detects an incorrect building envelope.

MR. HILDRETH: What that is is this dotted line right here doesn't scale that should be forth feet and should this one but it has no impact on the ability to put the house or on the subsequent septic design, which is actually down in here. It doesn't hurt a bit. It's a glitch, that's all.

MR. PETRO: The Planning Board may wish to assume position of Lead Agency.

MR. ARGENIO: I make a motion to take Lead Agency on the Conklin Minor Subdivision.

MR. SCHLESINGER: Second it.

MR. PETRO: Motion has been made and seconded that the New Windsor Planning Board take Lead Agency under the SEQRA process for the Conklin minor subdivision on South Jackson Avenue. Any further comments from the Board Members, if not roll call.

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ROLL CALL:

MR. SCHLESINGER: AYE
MR. KARNAVEZOS: AYE
MR. GALLAGHER: AYE
MR. ARGENIO: AYE
MR. PETRO: AYE

MR. PETRO: The Planning Board should determine if a public hearing should be necessary for this minor subdivision or if same should be waived under the subdivision regulations. Now is there an existing home on the one lot.

MR. HILDRETH: The existing house is here, that is Conklin's. This new lot will be vacant. The house will be put back here with a fairly long driveway. The septic system will be in this area here.

MR. PETRO: Okay, we are creating one new lot, one new house, and the size of the lot is...

MR. HILDRETH: 5.5 acres.

MR. PETRO: And it's all residential surrounding it.

MR. HILDRETH: Correct.

MR. ARGENIO: How close is the nearest house on Lands of Baxter.

MR. HILDRETH: I couldn't tell you, it's all woods.

MR. ARGENIO: Probably can't see it.

MR. HILDRETH: I can't see it.

MR. ARGENIO: That's what I'm getting at.

MR. PETRO: One new house on five acres.

MR. HILDRETH: Correct.

MR. PETRO: I'll entertain a motion to waive a public hearing.

MR. ARGENIO: I agree with that. I make a motion to waive a public hearing in the Conklin Minor Subdivision.

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MR. SCHLESINGER: Second it.

MR. PETRO: Motion has been made and seconded that the New Windsor Planning Board waive the public hearing for the Conklin Minor Subdivision on South Jackson Avenue. Does anybody disagree with this before I do roll call.

ROLL CALL:

MR. SCHLESINGER: AYE
MR. KARNAVEZOS: AYE
MR. GALLAGHER: AYE
MR. ARGENIO: AYE
MR. PETRO: AYE

MR. PETRO: The applicant should submit verification this application is not subject to review at Orange County Planning Department as per NYS General Municipal Law.

MR. EDSALL: You are not within any of the setback that require within 500 feet.

MR. HILDRETH: No.

MR. PETRO: You have to correct the side yard setback that would be a subject-to.

MR. EDSALL: Well, the other one that they really need to do is the perc tests have not been witnessed yet. So that we will have to have done.

MR. ARGENIO: Yes, it is the west end of the town, Jim, where we had the problems.

MR. EDSALL: They will have to have that done, then come back in once the ... is confirmed.

MR. HILDRETH: I'll have the engineer schedule that with you.

MR. EDSALL: That's the only open item.

MR. HILDRETH: That and the bulk table.

MR. ARGENIO: The building envelope.

MR. HILDRETH: Yes - good night. Thank you very much.

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RAKOWIECKI SUBDIVISION (01-26)

MR. PETRO: Okay, next is Rakowiecki Subdivision – Station Road. This is a proposed 36-lot residential subdivision. This application involves the subdivision of a 34.4 acre parcel into thirty-six single-family residential lots. The plan was reviewed at the 14 March 2001, 11 June 2003, 22 September 2004, 9 March 2005 and 22 June 2005 planning board meetings. So anybody who says we're moving too fast, I think they are not

MR. EDSALL: Mr. Chairman, I can get this to the point rather quickly. At the June 22nd meeting you closed the public hearing and there were some open issues you asked me to work with the applicant on more specifically the alignment of easements relative to some of the storm water management improvements. We have now resolved that and what you couldn't do at the 22nd June 2005 meeting was to assume lead agency and consider a preliminary approval....

MR. PETRO: We circulated it with a letter, correct. We didn't get any response now we have a response.

MR. EDSALL: You are ready to take lead agency and I would suggest considering preliminary approval so they can move on to the outside agencies.

MR. PETRO: All right, first thing we'll do is take lead agency, I'll take a motion for that.

MR. ARGENIO: I'll make a motion the New Windsor Planning Board take lead agency in the Rakowiecki Major Subdivision.

MR. SCHLESINGER: Second.

MR. PETRO: Okay, there's a motion before the Board. I just want to say that we're not going to go over everyone of these plan again. We've seen it so many times, I'm sending it a Christmas card. Okay, there is a motion before the Board to take lead agency and it has been seconded. Is there any further discussion from the Board Members, if not, roll call.

ROLL CALL:

MR. SCHLESINGER:	AYE
MR. KARNAVEZOS:	AYE
MR. GALLAGHER:	AYE
MR. ARGENIO:	AYE
MR. PETRO:	AYE

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MR. PETRO: I recommend the Board grant preliminary approval at this time such that the applicant can proceed to obtain outside agency approvals. I know that we did have a little question about the easement. Mark and I went over that during the week and we decided that your idea, whatever it was to fix it, does work. We agreed that the footage that you needed could be used from the easement. Is that correct Mark.

MR. EDSALL: It has been resolved.

MR. PETRO: It's been resolved. So, I think that was the last thing we looked at a number of times.

MR. ARGENIO: I make a motion that the New Windsor Planning Board declare this a negative declaration under the SEQRA process for the Rakowiecki Major Subdivision off Ashley, Ridge View Road and Finley Drive. Any further discussion from the Board Members, if not roll call.

ROLL CALL:

MR. SCHLESINGER: AYE
MR. KARNAVEZOS: AYE
MR. GALLAGHER: AYE
MR. ARGENIO: AYE
MR. PETRO: AYE

MR. PETRO: Motion for preliminary approval. No subject to's. The last thing that we looked at was that easement it was a problem, Mr. Biagini set this gentlemen up with new plans and it was 100%. There is nothing else to look at, we looked at it so many times, I could put my head back and see this plan.

MR. ARGENIO: Okay, I'll make a motion that the Town of New Windsor Planning Board grant preliminary approval to the Rakowiecki Major Subdivision off of Ashley Drive and Ridge View Drive.

MR. SCHLESINGER: Second.

MR. PETRO: Okay, motion has been made and seconded the New Windsor Planning Board grant preliminary approval to Rakowiecki Major Subdivision off of Ashley, Ridge View and Finley Drive. Any further discussion from the Board Members. The only think I want to say is this plan has been around a long time, it took a lot of work, we did downstream, everybody

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complied and I appreciate you and Mr. Biagini and the rest of the members working hard on this plan because it was not easy.

MR. ARGENIO: And you're saving a lot of the trees now, which is a good thing.

MR. PETRO: I think even at the public hearing the people seemed to be pretty happy with it. Okay, there is a motion for preliminary approval. Is there any other comment other than the one I just made. If not, roll call.

ROLL CALL:

MR. SCHLESINGER:	AYE
MR. KARNAVEZOS:	AYE
MR. GALLAGHER:	AYE
MR. ARGENIO:	AYE
MR. PETRO:	AYE

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THE GROVE (formerly West Hills) SUBDIVISION (05-200)

MR. PETRO: Okay, next is The Grove, formerly West Hills, Subdivision at Stewart Airport with Maser Consulting a proposed four-lot subdivision. Now once again, if anyone is here because they want to see this application, there is paperwork up here to your right I guess, if you didn't get one already. This information I would think you would find important. Okay, now this is just the subdivision, this is not the site plan so let the Planning Board get through that and then we will get to the site plan. Thank you.

MR. BETTE: Hi, I'm Chris Bette of First Columbia and with me is my brother Kevin, the owner of First Columbia. We are here tonight to update the Board on where we're at with the site plan development for the residential component of New York International Plaza, our master plan mixed use, corporate/campus over there at Stewart Airport. With me are the engineers of Maser, Andrew Fetherston, Joe DePico. They will be describing changes that we've made in the plan since we were here a couple of months ago updating the Board with our conceptual plan. Also with us is Dean Donatelli of K. Hovnanian. K Hovnanian is a Fortune-500 development company that we are working with on the development of this plan. We are working with Dean and his crew and we have seen some of his stuff in the area. They give a quality product and I think will really compliment what we're doing out there at the International Plaza. With that, I guess we'll ask Andrew if he wants to update the Board of where we are and where we've gone since the last meeting.

MR. FETHERSTON: Mr. Chairman, before you we have a four-lot subdivision, a 73.8 acre parcel in total split into four lots. The lot on the south end, a lot on the north end and a town-owned parcel including the reservoir. This parcel on the northeast side of the parcel. We are proposing to subdivide out a 50-acre parcel from this in total for the residential project.

MR. PETRO: The lands that are remaining with the town, that speaks for itself, so you won't have to go over that, but, explain the other subdivisions for me and why.

MR. FETHERSTON: What we brought up previously with Mark's office and also the Highway Department is the existing dead-end of World Trade Way, we're proposing to take that parcel, include it into the development. The discussions were that it was not desirable from the Highway Department to own that due to maintenance issues. There is a proposed office complex on the north corner here. This is also proposed office, as is the bottom parcel. Those three parcels are all in the New York IP Plan.

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MR. PETRO: Now creating any of these parcels, Mark, is there any problem creating a non-conforming use, a non-conforming set back of any kind, are there any buildings in the way that you are proposing to take down so that the subdivision will work on any one of the four. Is that one building in the way.

MR. FETHERSTON: I don't believe there is. There's six barracks here which are being proposed to be removed for our project.

MR. PETRO: You don't see a note on the plan to be removed.

MR. FETHERSTON: I believe we have that. That may be on the site plan, Mr. Chairman.

MR. PETRO: All right, we have to get that on the subdivision plan also because you can't obviously have a new property line going through one of the buildings.

MR. FETHERSTON: Understood.

MR. PETRO: Mark, on the subdivision here, do you have any outstanding comments or do you feel the subdivision would create any problems anywhere on site.

MR. EDSALL: Just the final plan submitted should have all the bulk information for each of the lots being created so that we have on the final recorded plan and just on the portion of World Trade Way that is being abandoned, that was discussed between Henry Kroll and myself and the reasoning behind that is that the town would, then, not have that dead-end stub to maintain which would effectively be almost internal to this project. However, notwithstanding ... that is a Town Board action, so I'll coordinate that with them.

MR. PETRO: This application was referred to O.C. Planning Department on 5-16-05 per the requirements of New York State Municipal Law. A response was then received dated 6-7-05 noted as Local Determination. Any members have any questions on the subdivision.

MR. ARGENIO: We've seen this a few times.

MR. PETRO: Mark, did we take Lead Agency, is that why it went out to Orange County.

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MR. EDSALL: Well, you really don't have the Lead Agency issue because the entire International Plaza is in the FEIS and that document did anticipate the subdivision of lots to establish the various uses.

MR. PETRO: All right so what's the procedure we want to go through here.

MR. EDSALL: My suggestion is that if you believe the subdivision portion is in acceptable form that you consider the approval should be conditional on correcting the bulk table and subject to the action of the Town Board relative to the abandonment of the stub portion of the roadway as we previously discussed.

MR. PETRO: And I think a note on the plan that the buildings to be removed.

MR. EDSALL: Yes.

MR. PETRO: Okay, someone make a motion for that and I'll read in the subject-tos.

MR. ARGENIO: I'll make a motion for final approval for the subdivision of the Grove on Hudson Valley Avenue subject to what the Chairman is going to read into the minutes in a moment.

MR. PETRO: Well, that will be the bulk tables, as Mark mentioned, they need to be corrected. Number two, any structure on the map that is going to be in the way or close to a setback has to be corrected. The owner is removing them but, you still have to have a note on the plan. What was the third one Mark, oh, the Town Board abandonment of the stub road that Mr. Kroll doesn't feel we should be taking care of. I think we looked at that pretty in depth right. We all agreed that that had to go.

MR. ARGENIO: Yes, we talked about that a length a few months ago.

MR. PETRO: Okay, we have a motion and second.

MR. SCHLESINGER: Yes, second it.

MR. PETRO: Any further comment from the board members, if not roll call.

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ROLL CALL:

MR. SCHLESINGER:	AYE
MR. KARNAVEZOS:	AYE
MR. GALLAGHER:	AYE
MR. ARGENIO:	AYE
MR. PETRO:	AYE

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THE GROVE (formerly West Hills) SITE PLAN (05-201)

MR. PETRO: Okay, next on tonight's agenda we have the Grove Hovnanian site plan. This application proposes the development of the subdivided parcel of application 05-200 of approximately 50 acres with 311 condo-type residential units. The application was currently reviewed at the 11 May 2005 Planning Board Meeting. The property is located in the AP-1 zoning district of the town. The proposed use is a special permit use B-4 of the zoning code. The bulk table provided indicates the correct required values for proposed use, special permit use B-4 of the AP-1 zone. The plan further defines the type of units to be provided specifically as follows; 109 three-bedroom "Garage Under Units," 26 three-bedroom "Walk Out Units", and 176 two-bedroom "Stacked Units". I think the stacked units are the ones we did the personal site visit to in Monroe. Multiple conversation...

The plans for this meeting are substantially more complete than the previous submittal. Grading, drainage, erosion, utility, profile, landscaping, lighting and detail sheets are all included. The SWPPP, what is that Mark, I probably should know, but, I don't.

MR. EDSALL: Storm Water Pollution Correction Plan as discussed earlier.

MR. PETRO: Is generally acceptable with some relatively minor corrections in progress. We are continuing our review of the plans. The Board may wish to discuss a possible for public hearing required for the project. It has been referred to Orange County Planning Department per New York State Municipal Law with a response dated 6-7-05 received with several comments. An approval/disapproval recommendation has not been made at this time pending submittal of additional information. Okay, somebody's going to make a presentation.

MR. KEVIN BETTE: Before you get into that, I just wanted to kind of put things into perspective. This is a small portion of our overall development at the International Plaza, which I think everyone's aware of the mixed use development charged with changing the economic impact in the Hudson Valley by bringing high-quality jobs to the area. This housing project is a portion of that and a lot of employers that we talk to want to make sure there is housing close by for their employees. We've talked to firms from throughout the Hudson Valley, from Silicone Valley, from International Companies, all of which, if they relocate to this area, want to know what type of housing is available in the area. What structure is it. Local corporations are interested in purchasing some of these units for housing some of the people that they bring to the area. We've done similar

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condominium projects, one's in Pittsfield, Massachusetts where General Electric we're talking to about buying a number of units. That's a trend that's happening is that they would like to own units and be able to bring people back and forth whether they're consultants that work with businesses or they are employees that they relocate into the area, so it does fit into our overall master plan. I think people get a little distracted when you just look at another housing project. This is different, this is a very important component to the working of a master plan community. We did extensive studies, a balance of mixed used development, that will help us be successful. So, you can get into the details of the project here, but, I just wanted everybody to understand that it is part of the bigger picture which will have a huge economic impact in this area.

MR. PETRO: Kevin let me, before you go into this further because obviously it is on everybody's mind, how would you define the terminology that was used in the EIS as Corporate Multi-Family Housing.

MR. KEVIN BETTE: Well, their analogy that we used isn't necessarily fit into different categories as far as zoning and planning. Corporate Housing is Corporate Housing and it takes many different forms. It could be rental properties, it could be for sale product. I don't see how the ownership of that product matters to us. What we're trying to do is identify the users and the different components and services that will help bring those users here. Just like bringing health facilities to the area, that is what is important to employers. Bring other services, daycare services, health club facilities, amenities, all those things are important to corporate users. When we talk about Corporate Housing in our plan, what it means to me is housing that's market-rate for folks that will, in the future, live and work both on our site and in businesses that are affected by the economic impact of our site. So, if we bring a company here to the site, that many of which are targeting are in the high-tech industries and Fortune-500 companies, those types of employees are who we are looking here. That's why we've identified a Fortune-500 company to come in and help us develop this product to meet the needs of those types of customers.

MR. PETRO: Why don't you have mister uh.. Why don't you introduce yourself and a little bit about your company, so we can get a better feel for this. Even though I've been privy to it, the members haven't met Hovnanian yet and I know that the public hasn't. There's a lot of people who would like to know who you are and what you do.

MR. DONATELLI: Sure, my name is Dean Donatelli and I'm the house counselor for K. Hovnanian. Jim Driscoll is the area president for the metro-New York area, which includes Orange County and was not available to come tonight but, I'm here to present the plan, we've been working closely with Kevin and

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Chris of First Columbia. K. Havnanian is a top-ten public home builder based in New Jersey building communities like this since the 1950's and we are an expert in multi-family, active-adult, age-restricted, single-family homes of all user types. We like to consider ourselves experts in finding a sweet spot for the market offering a different variety of product types, bedroom counts, different densities and kind of really taking advantage of the opportunities that a site has to offer. We are very excited about New Windsor and it's a property that we have been looking at a long time. We compliment other communities that were building in the Orange County area, one of which you mentioned Meadow Glenn in Monroe. We are also looking at communities in Washingtonville as well as Hamptonburg and Rockland County. So, we're excited about this. The Board's been very cooperative, Mark's office has been very helpful and we are very excited.

MR. PETRO: Okay, now when you first were approached, either by First Columbia or however you got together through a broker, I'm sure your company looked over the EIS very very carefully, you understood what was there and you understood that the word that was used was "Corporate Multi-Family Housing Units". What was your take on that and what is your market.

MR. DONATELLI: Well, we see very similar to what Kevin did describe in terms of we see this as this area becoming vitalized. One of the things that really attracted us was the NYIP Master Plan. You look at that very closely in terms of the square footage of R&B space, commercial office space and a big component is Stewart Airport so we see a lot of the opportunity being, if not corporate housing for homes for corporations for executives for their associates occupying a working and commercial space to be developed, it would be somewhere in the area of the New Windsor region.

MR. PETRO: Let me ask you this also, just out of curiosity, what do you think the average selling price of one of these units will be.

MR.. DONATELLI: Whew, tough to say.

MR. PETRO: I'm not going to hold you to it, but, in the area.

MR. DONATELLI: It's tough to say, the market's changing. We're reluctant to kind of forecast what the market's going to be.

MR. PETRO: You say the market's changing, do you think it's going lower or higher or steady.

MR. DONATELLI: We think it's pretty stable. We know there is a demand for this type of product and that we'll discuss further. We have a

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selection of home types which we feel really allows a wide enough sweet spot to attract a buyer if it's a corporate resident who works in the area, be it a first-time home buyer, perhaps maybe someone out of college for some of the smaller homes. So we have a very wide sweet spot to find the buyers which we think will come.

MR. PETRO: For every one percent that the interest rate goes up, you lose 2% of the market so I guess really it's not that critical at this point, we don't see the rates going that crazy. I know this is side-stepping the planning board issue, but I was just curious.

MR. DONATELLI: Well, it's an important question and we are always keeping our eye on the market.

MR. PETRO: Okay, I know you want to get into your site plan, which we'll get there soon. Chris, we were talking last time about some units up where the abandonment of the road and the Y in the road, they didn't quite work.

MR. CHRIS BETTE: Right.

MR. PETRO: I think that building, were it's going, are you intending on losing a few units up there or are you going to fit it in now.

MR. FETHERSTON: I think from the sketch plan we had units going right to the end where there would have been cars backing out of driveways into that bad intersection so we did relocate that. We took that comment from ..

MR. ARGENIO: Jim, I think he's right, I think that was exactly the issue was that the driveways were dumping right to the Y extension.

MR. FETHERSTON: They've actually been cut back and our proposed subdivision line is here so the units actually start some 50 feet back from the subdivision line so there is further separation from this.

MR. PETRO: All right, we're going to get to the site plan in one minute, I have one more question for Dean Donatelli. In the FEIS that was submitted, in the generic one for the entire site, it claims there's 51 children going to be generated from 275 multi-family units. How do you and your company feel that that's appropriate or you don't or you do.

MR. DONATELLI: We feel that number is pretty accurate based on our experience. We generally estimate probably about 1.3 students 1.3 per 10 so .13 per home. If you assume 10 homes, those homes will, based on our experience

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units and stack units. Your quantity of those units was correct. We are proposing sidewalks throughout the community on one side of the street on every road. The required parking for this development totals 778 spaces, that's computed by 2.5 spaces per unit. The parking spaces that are being provided on this site total 963 spaces. We're getting one car per garage, 1.5 cars per 30' driveway.

MR. PETRO: Let's talk about that a little bit, because that's one of my little pet problems is parking. I think we went over that last time.

MR. FETHERSTON: Sure, yes we did sir.

MR. PETRO: Where are the additional parking areas for when people come for Christmas time, I know you have one inside the garage, which frankly, if I were designing the law myself, I would remove that. Usually, that's somebody's car left, they're in the service and the plates are off it and that space is no longer available.

MR. FETHERSTON: You would not allow it in the count.

MR. PETRO: No, I wouldn't allow it in the count so you would need another 300.

MR. DEPICO: We pretty much have additional parking spaces between each unit. Primarily we have some additional parking spaces also in the cul-de-sac areas.

MR. FETHERSTON: They're scattered around so that it's not a very long walk from a unit to a parking area. At the cul-de-sacs, we kind of changed the idea of a cul-de-sac from a non-functional circle to a cul-de-sac which could house the mailboxes and also another series of parking spaces. There is parking scattered throughout the site.

MR. PETRO: Okay, Mark, is it 2.5 per unit.

MR. EDSALL: I believe that's correct.

MR. PETRO: It used to be less, correct?

MR. EDSALL: Oh, significantly less.

MR. PETRO: Then it was increased. I'm thinking about Plum Point who now has...

MR. EDSALL: Plum Point is not a good example...

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MR. PETRO: Well, I know that, and that's why I'm saying, if you have the 2.5 it's still been quite a nightmare for us.

MR. EDSALL: Well, Plum Point has that deficiency as well as the roads are substantially less width.

MR. ARGENIO: Narrower, yeah they are a lot narrower.

MR. FETHERSTON: These roads are 30 foot wide, they meet the town specs for the horizontal geometry. We are proposing almost 200 spaces over that which is required. We were sensitive to your comments and also to K. Hovnanian ...

MR. PETRO: You have 200 spaces over the 2.5 calculation.

MR. FETHERSTON: Almost, 778 is required and 963 are proposed.

MR. PETRO: Alright, that's pretty close.

MR. BETTE: Mr. Chairman, we have thousands of parking spaces in the other lands of the development for after hours we could use cross easements if they needed that for certain functions or whatever.

MR. PETRO: Okay, the refuse, where did place them in, I don't see them.

MR. FETHERSTON: We have them scattered throughout the site actually. The red dots are the refuse sub containers. The black dots are the mailboxes. So we've, there's refuse, refuse, refuse, refuse, refuse, refuse, we provided a detail also on the plan and there's another one up the top.

MR. PETRO: Are they buildings.

MR. FETHERSTON: They're the buildings, yes, they would meet, yeah we have a detail on the plans, I think the detail shows stone. I'm aware that the town would prefer brick. We could change that detail.

MR. PETRO: Where are we with the brick anyway, what was the final, brick on three sides.

MR. FETHERSTON: We do have some sketches for you.

MR. PETRO: Okay, I'm ahead of myself, I'm just curious because you brought it up. How did you determine where the refuse would be.

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MR. FETHERSTON: Tried to get it spaced away from the units, convenience, yet not too close for...

MR. PETRO: And you understand there is no individual garbage pails, you know about that.

MR. FETHERSTON: Understood.

MR. PETRO: So what would the walking distance be, I would have to go through buildings to get to a dumpster.

MR. FETHERSTON: No, pretty much one building length is pretty much the longest walk. There is quite a spread here because of the density of the buildings.

MR. ARGENIO: What is that lattice work in the dumpster enclosure.

MR. FETHERSTON: We haven't done architectural on that yet.

multiple conversation....

MR. PETRO: Okay, let's go back to that long walk here. Where are they in there.

MR. FETHERSTON: I have one here, one here, another one here, there is a long stretch in this area. I think I want to place another one in this area for the density of the units.

MR. PETRO: Are they going to have to drive.

MR. FETHERSTON: They would drive, yeah. I would drive.

MR. PETRO: Why not right where the road

MR. PETRO: All the topes of the roads, Mark, have you looked at that yet.

MR. EDSALL: In concept, obviously, we wanted the Board to have an opportunity to look at The road.... to the town's standards. There's some vertical curve sections that don't meet exact town standards, but, then again, these are not town roads. So that was the ultimate goal but, they improved them tremendously since the original plans.

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MR. FETHERSTON: They're all 30 foot in width, the maximum slope on a road is 10%, as Mark was saying, the vertical curves in getting the geometry was the one thing that did not meet town standards.

MR. ARGENIO: Mr. Chairman, at some point in time we'll probably have a discussion about the timing of pools, and tennis courts and things of that nature.

MR. PETRO: Uh hm...Retention ponds.

MR. FETHERSTON: We're proposing a series of different ponds to meet the requirements of SPDES. We're proposing a series of dry storm water basins on the uphill side to shave the peak flows off, water quality is accomplished on the low end. We provided a drainage report to your board to Mark's office. We had one letter back from Mark which we responded to, a series of five comments, I think we addressed all of his issues, but, if there's any further comments, we'll certainly address them.

MR. ARGENIO: One other thing, I think I brought this up early early on, and Mark, I think it's important that we look at this close, is the existence of those force mains that charge that pond and the proximity of them to the structures, obviously horizontally.

MR. EDSALL: There are some relocations for utilities.

MR. ARGENIO: Okay,

MR. FETHERSTON: We are definitely proposing to relocate. It became obvious to us once we extended World Trade Way, came back with our building pad, which is nearly level, we realized the depth of cut that would be happening over those force mains, in some cases, it was over ten feet, necessitated the relocation of a series, probably in this section, they will be completely relocated.

MR. ARGENIO: Oh, those force mains. Yes.

MR. FETHERSTON: The two force mains that come up from the station to feed the reservoir, yes, that's correct.

MR. ARGENIO: Okay, all right.

MR. FETHERSTON: There's also a gas main that traverses the property, that will be relocated, there's also a sewer force main and a couple of those things to be relocated.

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MR. PETRO: Landscape plan.

MR. FETHERSTON: Uh, we prepared a full landscape plan that was in the package. What we did was, we did according to the comments from the board was to have alternating units. Not to have the same blueprint on every building. What we provided was, one of the first plans was a scheme plan. Say that this was an A building, that was B and there would be alternate plantings that were going on each unit depending on the type of unit. So we are trying to show that alternating. We also have a common area, which is what this plan is based on our common area landscaping plan. We also provided landscaping plans from David Hawke Associates for the entrance and for also for the clubhouse.

MR. PETRO: Lighting plans, sidewalks.

MR. FETHERSTON: Lighting plans were done completely, we actually provided three sheets, they're done at 40 scale, we believe that meets the town's requirements.

MR. PETRO: I'm just skipping over them because I know Mark is going to review them, but, I just want to make sure we get everything up front. The surface water, the drainage.

MR. FETHERSTON: Yeah, all the drainage, we have one, two, three, four, five, six, seven detention ponds.

MR. PETRO: How does it get there, just picked up by culverts.

MR. FETHERSTON: It's really basically all piped. This one discharges to a pipe system that goes down the extension of the road, then, there's some channels that we observed on North Jackson Avenue that take this discharge, there's also a channel here which we'll just pipe under the road and continue into the channel as it does currently. There is some drainage channels that must have been done many years ago, one that really goes right all the way down the side of the mountain and another one that goes this way. We're maintaining those channels the best we can and/or putting the detention ponds right in those channels utilizing what's there.

MR. PETRO: Okay, access points, then I'll move on to something else.

MR. FETHERSTON: We have our main access is off of World Trade Way. This road is the extension of that, terminates at Hudson Valley Avenue, which is being constructed to terminate at the intersection of Rt. 207.

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MR. FETHERSTON: The calculation is 7,000 square foot per unit is required times 311 units gives us approximately 50 acres, that's how we derived our acreage.

MR. PETRO: Okay, that explains that, my question again is, the EIS says 275 units, how did we get to 311.

UNKNOWN: That was based, correct me if I'm wrong, but that was based on the same square footage calculation based on a smaller lot, it was a 45 acre lot, this is a 50 acre lot so that's the difference. It was still the 7,000 times...

MR. PETRO: I understand that, but, it's really not answering my question, I know how you're calculating it, I probably helped write half the law that did it. So, again, Mark I'm going to ask you the question.

MR. EDSALL: I don't know if this is an answer other than the fact that when they ultimately created the underlying lot and then they calculated the number of units that would meet the town's requirements they came up with a larger number once the lot was a different configuration. I'm sure that when they did the EIS, they estimated the size of the desired residence area.

MR. PETRO: Okay, but, an opponent of the operation here is going to say it says 275 and that's what you're supposed to have. Now is there longitude and latitude in the EIS that lets you go the other 20%, 10% or whatever the case.

MR. EDSALL: The EIS and the findings are based on projected mixes of uses. The EIS also recognizes that some uses may increase and some uses may decrease. Ultimately, Chris Bette and I and we've got forms that we're keeping as records, the impacts of each use as approved. Ultimately, the total impact cannot be greater than that accepted by the findings.

MR. PETRO: So, in other words, you're saying if we do less than a hotel somewhere, you can have more of the other one. The other one could be commercial, could be residential, could be whatever it is. As long as the total is the total.

MR. EDSALL: Correct.

MR. PETRO: And that's done in all EIS's, in other words that's the way it is.

MR. EDSALL: That's the way you reach the findings that the mitigation will correct any potential impacts.

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MR. ARGENIO: Kind of a running tabulation.

MR. EDSALL: This is so large of a project, that we do it in a running tabulation. Chris and I are keeping those tabulation sheets.

MR. PETRO: All right, Chris, I have asked you a number of times, I know we keep saying 311 units. Do you plan on losing any of these units at all. I thought we were going to get it down a little bit, but, I think you said if it doesn't work, you were going to take them out, now you're telling me that they basically do fit on this particular plan.

MR. CHRIS BETTE: Correct. We were concerned earlier, you've seen the topography out there, that we quite possibly wouldn't be able to get all 311 units to work. We've orientated the road such that we kind of ride the contours. We've gotten the driveways away from some of the problem areas and we're pretty confident that that plan works, that the retaining walls work, they will be attractive units, we get a nice mix of walk-out with the hill and I think, you know.

MR. PETRO: Do you have any kind of a conceptual picture.

MR. DONATELLI: If I could add just one thing. One additional comment in terms of home count is we have a pretty impressive amenities package here, including a clubhouse, a pool facility, a tennis court and in order to, as well as other things that were mentioned including compactors, which, I'm sorry, refuse areas which require obviously maintenance fees and homeowners association fees, so in addition to tracking the square footage in the EIS, we look at the number of homes with respect to the square footage of the clubhouse and the amenities that are going to be added and we say what is the mass or count of homes which would put a reasonable impact on the homeowner in terms of a monthly homeowners association fee whereas we can really create an impressive community and an impressive amenities package and we feel that, we got 4,600 square feet of clubhouse, which is I think the Board will agree, is an impressive facility and we think that number that's with that.

MR. PETRO: Okay, we, some of us from the town, did do a couple of site visits as you know and I do have to say that your clubhouse is absolutely outstanding. I mean it's like something you would see in Better Homes and Gardens, really, you know, cornice work in the rooms and a library and weight room, just everything was amazing and it was definitely very large.

MR. DONATELLI: It's similar here Mr. Chairman, we took advantage of the views, we took advantage of the topography. This particular clubhouse is

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slightly different than the Meadow Gate clubhouse in that it's a walk-out so it's a two story rear that walks out onto a pool area.

MR. PETRO: Okay, gentlemen and the Board do you have any other questions at this time, Mark has a lot to review, this is still preliminary in nature.

MR. EDSALL: Mr. Chairman, just as an update, the plans have come a very long way since last we resolved a lot of the main problems and I gave them a terrifically long list of things to improve in the submittal so that they could get toward having you authorize a public hearing because being there is a mandatory public hearing for the special permit, I wanted to make sure that you were able to see that they had a complete set so you would feel comfortable moving to that next step so I would just like you to know that my long list they added to the set, so 34 pages long or 34 drawings long and they have included all the information I wanted.

MR. FETHERSTON: If I might add, we also received comment letters from Mark's office we responded to those as well as to the comments from County Planning.

MR. EDSALL: Last, but not least, on the parking question I don't know if you did it but the that the assessor's office provided information to you resulted in a .105 students per unit.

INAUDIBLE.....

MR. ARGENIO: They said that their data yielded 13% or 14% I think they said.

MR. EDSALL: The .13 or .15 numbers a house is the assessor's value....

MR. PETRO: Kevin, you mentioned earlier too, that you had IBM was looking at taking possibly a block of units for exactly what we are talking about corporate housing.

MR. KEVIN BETTE: Our efforts are to identify users on the site and also users that are in the area so the users, yes, we have recently talked to them and they are very interested in purchasing blocks of units for their corporate use.

MR. PETRO: Okay, any of the members at this time, right now. We will come back to the Board if necessary. If you can just spread out just a little bit because we are going to field a couple of questions, I think. And what I want to say now,

is everybody understands that, you know what before we do that, I'll entertain a motion to have a public hearing.

MR. ARGENIO: I'll make a motion to have a public hearing.

MR. SCHLESINGER: Second.

MR. PETRO: Motion has been made and seconded that the New Windsor Planning Board schedule and have a public hearing on The Grove, Site Plan, on Hudson Valley Avenue. Any further discussion from the Board Members.

MR. ARGENIO: I have one question. Who do the letters go to?

MR. BABCOCK: The assessor's office will make the list.

MR. ARGENIO: Who.

MR. BABCOCK: Well, it will be the Town of New Windsor. That's pretty much it.

MS. MASON: And it will be published.

MR. PETRO: No other comments, roll call.

ROLL CALL:

MR. SCHLESINGER	AYE
MR. KARNAVEZOS	AYE
MR. GALLAGHER:	AYE
MR. ARGENIO:	AYE
MR. PETRO:	AYE.

MR. PETRO: Now, realize that this is not a public hearing and we are going to have a public hearing, but, if there is somebody that would like to speak, try to keep this somewhat brief on this particular subject and no redundancy please. And you have to come up here, we have one recorder working, this one's out.

MR. KURT WILLIAMS: I'm Kurt Williams, I've been asked to speak for the New Windsor Concerned Citizens and I'm also a resident of Riley Road very close to the project. New Windsor Concerned Citizens asked that in light of the recently developed information about this project that the citizens in New Windsor don't necessarily know about before it came out in the press. We ask that you defer any approval of this site plan until after the election. We have

some concerns about the use of the land. We have concerns about traffic. We have concerns about environmental impacts.

MR. SCHLESINGER: What is your basis for that request. This is a planning board issue. I don't see this as a political issue.

MR. WILLIAMS: Well, I'm making a blanket statement as a concerned citizen.

MR. SCHLESINGER: You asked us to put off any decision based upon a political election. I don't understand what a political election has anything to do with this.

MR. WILLIAMS: As we understand it, this property, has this property been sold yet by the Town of New Windsor.

MR. PETRO: It's under contract but not closed yet.

MR. WILLIAMS: It's under contract but not closed, it is reasonable to ask, I believe, that perhaps the board's going to change in the next election. Perhaps they may not decide to sell that.

MR. PETRO: I would say that they have that option at that time.

MR. WILLIAMS: One of the reasons that this land was proposed for sale was to finance something that was recently shot down in a referendum.

MR. SCHLESINGER: I don't know whether that's necessarily true.

MR. PETRO: That's not true, but, go ahead, you may believe it's true, but go ahead.

MR. WILLIAMS: That's the perception that's out there and I don't see and here any compelling reason for this to be approved at this time if they could wait perhaps five or six months. Personally, I'd like to ask a few other questions. You're claiming 311 units, if somebody wants to put a shopping center in the town, you require them to put in more parking spaces than they're ever going to fill, why. The analogy I'm trying to make is that, why put the parking spots in, because you just someday might fill them. You put in 311 units and just as many bedrooms, you're going to have more kids than what all these tables are telling you. You have to think about that, once it's built, like Field of Dreams, build it and they come. When they do come, how are you going to get in and out of here is my second question. You put at least 978 cars, using your own figures, on Rt. 207, I travel it every day, it's a traffic nightmare. Seen in the paper the other day, it doesn't look like Drury Lane is going to be financed regardless of what happens to this SPARC, Sandra Kissam lawsuit. That may not come. You're going to

build this and we're going to create a worse bottleneck. It's going to have a long-lasting effect on the Town of New Windsor. Thank you for the opportunity to speak.

MR. PETRO: You're welcome.

MR. SCHLESINGER: Just to respond to something you just said. You brought up the Stewart Commission as the money related to the Drury Lane project is already been bonded, so that's probably, not written in stone, probably is relevant to the Drury Lane Project.

MR. ARGENIO: What's that Neil.

MR. SCHLESINGER: There was a concern that if the project goes through, the money may not be there and I addressed that issue myself....

MR. WILLIAMS: Well, the interchange has not been built, and it's desperately needed..... it's a bottleneck.

MR. MARTINSON: My name is Russ Martinson and I live on Wagner Drive. I see all these guys come in here and it almost seems like we're putting the cart before the horse, maybe it's because I haven't been here at these proceedings that much, alright. But, when I sit here and I listen to some of what was said on a couple of issues, I really have to scratch my head. Mr. Argenio even mentioned, boy, that's going to be a nightmare right there with the bottleneck. It's been getting worse year after year. It's a tremendous problem. It's going to cost a lot of money to redo that, I have no idea how much money these gentlemen are putting into our community right now, but, the amount that they're spending on the land that's initially going to go to a sports complex isn't even going to be enough to take care of the traffic issue that we have at that intersection. Number two, I look at these numbers on the children. First of all, when I look at the numbers on the condos. Oakwood Terrace. Very small condominium units, mostly senior citizens. That's why you get four children in 126 units. All right. We don't have these types of condos here yet which are supposedly, according to these numbers, \$350,000.00 to \$400,000.00. However, now, we're not getting those kinds of numbers cause we got two bedroom units so now are we really going to be getting that kind of value that had been published on this.

MR. PETRO: Hold up right there so we can get the bottom number. What is a two-bedroom, again, I can't hold you right to it, but, it's obviously over \$300,000.00. You don't have anything less than \$300,000.00 do you.

MR. DONATELLI: Probably a base price with no views would probably just under, nothing much under \$300,000.00.

MR. MARTINSON: And so we're guessing that's maybe an asking price and depending on what happens with the housing market, that could be negotiated down substantially. So, now we are not really looking at this type of housing. Let's look at the kinds of people that are moving into this area. The kinds of people that are moving into this area are the kinds of people who are looking for a better life for their families. We are getting all the families coming up from New Jersey, coming up from Rockland, coming up from the Bronx or wherever and Manhattan and that's what they're bringing. They're bringing their families with them. So, when I look at these kinds of numbers, on the students, I really have to shake my head and disagree because of the types of units you are putting in, they are going to be more conducive to more children and the types of people who are now moving into this area. All of these units, not all of them, but one, were built before the large influx. Not to mention, you talk about the housing that's available in this area currently and I recently had one of my clients come to me and say "Gee Russ, I was looking at moving up into this area." And so I look at New Windsor and why is there so much housing available in New Windsor. So, right now,I mean if you went to the Orange County Board of Realtors, you would find that there is a lot of available housing here currently with the people leaving this area because of what's been happening here. I think we heard earlier tonight, somebody here said "I didn't leave New Windsor, New Windsor left me". I personally do not want to see New Jersey keep moving up here and that's what I see happening here.

MR. PETRO: Okay, I have to disagree with one point, only because I have first-hand knowledge of it. This fellow here has been looking for a house, how long in New Windsor?

MR. GALLAGHER: Two years.

MR. PETRO: Over or \$300,000.00 to spend let's say or definitely in that range.

MR. GALLAGHER: In that range, and it's very very hard to find a house.

MR. PETRO: Cannot find a house.

MR. ARGENIO: I thought that it was acknowledged about the friendliness of Monroe. Monroe left me.

MR. MARTINSON: Okay, maybe it was Monroe, but the same thing is happening in New Windsor and that's my point. As I said, I look at first hand knowledge of seeing the real estate tables, but, you know, \$300,000.00 might even let it go for a little bit more maybe the inventory in that level may be a little bit tight, all I know is what somebody told me about the available housing in New

Windsor, Okay, and maybe it is just that particular price range that Mr. Gallagher is looking in where the inventory is low.

MR. ARGENIO: Sir, I'm curious, one of your clients told you that. What do you do, what is your..

MR. MARTINSON: Yeah, it was a banker, Okay. Thank you.

MR. PETRO: Any other with a different subject.

MS. JEAN ANTONELLI: First of all, my personal feeling is that we should not sell 50 acres. That should remain as part of being owned by New Windsor, Okay. If this condominium project goes through, why do you have to sell the land, why can't you lease it like you're leasing the rest of the land.

MR. PETRO: It is leased at the present time.

MS. ANTONELLI: But, you're selling it.

MR. PETRO: And the reason is very simple, very, very simple. If these people build on this 275 multi-family units, they have to be rental units on the leased land. You cannot sell a unit on leased land. The Town of New Windsor owns the land so then we would have 275 apartments instead of the condo units which definitely produces more children and frankly I don't believe any apartment unit is taken care of as well as a condo unit or something that somebody owns.

MS. ANTONELLI: Well, I disagree with you there. There are many senior citizens who would like to live in an apartment, but, there are no apartments available but, the gentleman here kept saying corporate housing, corporate housing, we've got corporate companies that want to come in. Well, I don't buy that. I think you're going to have people coming up, buying the condominiums and adding more children to over-burdened school districts. Where you have more children, the schools are busting at the seams. All the children that will go to live in these condominiums will end up going to Washingtonville School. Now, I'm not in Washingtonville, but, have you taken that into consideration the impact it will put upon your neighboring communities if builders keep building and building.

MR. PETRO: Well, we're using the calculations that they use in the industry, which would be 30 something children.

MS. ANTONELLI: And then after it's done, we have the problem. Thank you very much.

MR. WILLIAMS: May I speak again.

MR. PETRO: Sure.

MR. WILLIAMS: In the handouts I see the attorney for the developer is giving an opinion. Does the Planning Board have legal advice. Do we have somebody who is an attorney that guides the Planning Board.

MR. PETRO: We use the engineer and if we have a serious question, we take outside counsel, we have other counsel at Town Hall.

MR. WILLIAMS: I think it's a reasonable request, I would think you would have your own counsel.

MR. PETRO: Without a doubt.

MR. WILLIAMS: Second question, has anybody consulted the Washingtonville School District on the impact of this, formally consulted them. I have worked for a school district and I know the impact of and the frustration of school boards who suddenly have developments thrust upon them. Then they become the bad guys when they have to go for bond issues and high taxes because of development.

MR. KEVIN BETTE: We've talked to the Washingtonville School District. The whole project, again, is part of the entire project. The Washingtonville School District is the beneficiary of all the taxes from all the offices and hotels and other products we are building on the site. So, they're going to have a huge windfall from the development of this site. It's the best thing that ever happened to the School District.

MR. PETRO: You take the LSI Lighting Building or the Medical Buildings in Washingtonville School District so they produce zero kids, and I know that those tax bills are six figures for zero kids and if you have 300 and something units that pays, let's assume \$2,000.00 per year in school taxes, and you're going to produce 30, 40 or 50 children out of there, I don't think that that's overburdening the school system.

MR. WILLIAMS: Well, again.

MR. PETRO: And you have to look at the whole picture. Again, what he said is very true. I think there's approximately 30, 35 major major major commercial buildings scheduled to be built on the 220 acres which millions of millions of dollars of assessment, in the millions, I think that will certainly overcome 30, 40 or 50 children going to school.

MR. WILLIAM: Well yeah, I have to use my analogy. You require a certain amount of drainage under your flood plain when you put in a shopping

center. Any Planning Board makes the developer put in more parking spots than they will ever use and the reason why, you put them there because someday they just may come. If you build it they may come. If they come, what happens then.

MR. ARGENIO: The previous lady, Ma'am, it does effect me. The issue about the school district does affect myself and I know it affects Mr. Schlesinger as well and Tom, all three of us are in the Washingtonville School District.

MS. ANTONELLI: Well, my daughter is a teacher there, all right. She teaches special ed. She was forced to buy a house in Highland and she commutes every day.... But, it's just a shame that here in New Windsor people can not afford homes, when you have a shortage of homes for seniors and a shortage of homes for the average working Joe, who can not afford \$300,000.00 or \$500,000.00. This country is not in the best financial shape and I just think the bubble is going to burst.

MR. ARGENIO: Your point is well taken. My message was that there are people up here that are affected by the school district issue.

MS. ANTONELLI: Well, let these commercial that you want to put on Stewart. That's all well and good because it does bring in income and it doesn't require as much service as a house or a set of condominiums. Excuse me, I lost my train of thought because this is all predicated on things... I was in favor of the commercial because I think it will do us good, but, I don't see Stewart really booming and I'm afraid that these condos are just going to be for people coming up from the City and there will be nothing here for the people who have worked and struggled and paid your taxes and there's nothing for them. Thank you.

MS. DIANE NEWLANDER: Hi, I'm Diane Newlander of New Windsor. Just to say one thing about the schools, I know you don't want to hear anything about that again, but, I lived in Washington Green and I don't know the square footage exactly of those condos but, it's not inducive to children. It has two buildings, but, the second bedroom is so tiny that when people's kids get to be school age they will leave there. Also, I think that you see so many people here tonight, I think the reason you see so many of us is that we're just tired of high-density housing. We just don't want to see so much high-density housing here because we're tired of more traffic lights, tired of more congested town roads, we're just tired of it. It's like you said earlier, you're tired of hearing certain things, well we are too and that's why we're here going on eleven o'clock at night because we just don't want such high-density housing and who's going to buy these and live on the airport. I mean I have friends that live by Laguardia. You stop talking when the planes go over and who's going to live on the airport.

MR. PETRO: Well, the high-density housing you have to understand, first of all the board itself, and you know because I know you come to all the meetings, we're an administrative board, not a judiciary board. So, when somebody comes

here with something that's zoned or in it's zone, we review it. We don't say yes or no, we say how and that's what we have to do. As far as the condo projects, I ought to know, I've been here a long time, I can not remember the last condo project that was approved by this board, matter of fact I think it was prior administrations that approved condos in this time that are now being built out and finished at this time. It was also a prior administration that approved 536 apartment buildings in front of Epiphany College that this administration brought down to 209 with 106 of them now held up by a water moratorium brought on by this administration, so we can only look at and do what's before us at this time.

MS. NEWLANDER: Right, I understand.

MR. PETRO: I cannot change Washington Green, I mean I happen to think it's very nice. There's no question, this is new, we are looking at it. We are also looking at Benedict Pond, which is a senior housing the one we are looking at to go along with Mrs. Antonelli saying we need...

MS. NEWLANDER: But, is it affordable.

MR. PETRO: Well, it's as affordable as possible. We're not doing anything that's subsidized. I mean we can't force somebody to have \$300,000.00 into something and then sell it for \$140,000.00, I mean there's nothing you can do about that. We don't have Section Eight or subsidized housing, no. But, we are looking at other senior density. The problem with the senior density, I can tell you straight out, is that every time someone comes to us with the senior project, they cannot build in our R-5 district. Now senior housing is built in any zone in the Town of New Windsor. The Town Board can vote it in at any time in any zone, the problem with the builders is that it cannot produce a profit and/or make it profitable at six units per acre or, as our code would be, one unit for every 7,000 feet. They're looking to double that, which simply means they want, as in other towns, 12 or 14 units per acre and when I hear that I start thinking, 'My goodness, the amount of people, even though they are seniors and it may be affordable, is an awful lot of people in one spot. We are taking it under advisement, the Town Board's looking at it, we're not sure exactly where it's going to go, maybe give a compromise so we can get some seniors. But, I know that the builders want 14 or 15 units per acre and that's a lot of units. So that's one reason you don't see that high-density senior housing because you cannot make it affordable and builders won't build it at six units per acre. I'm just trying to give you a heads up with it, I mean that may not always be the answers you want to hear but, that's the truth of it.

MR. ARGENIO: It would be double this.

MR. PETRO: It would be double this, it would be 622 units here for this to be senior.

MS. ANTONELLI: But, if you look at Epiphany and it's so ugly.

MR. PETRO: It's 103 units. It's been brought down drastically from what it was approved by the previous administration or prior the previous one and I think that we've come a long way. Now, we've done as much as we can with the water moratorium to stop other ones i.e., Harp Estates down here which is 110 units, Patriot Estates up here which is off of Park Hill which is 106 units has also been stopped due to the water moratorium.

MS. ANTONELLI: But, they're stopped because of the water moratorium.

MR. PETRO: That's correct.

MS. ANTONELLI: Which makes me think that once you lift the water moratorium then really all of these projects will probably be okay.

MR. PETRO: I can't argue that point, because it makes perfect sense.

MS. ANTONELLI: And I worry about the water here in this area and the sewer. Are we going to have to make a new sewer plant, increase the capacity.

MR. PETRO: Eventually all infrastructure will have to be increased. We just came back from vacation at Ocean City, Maryland and if you think it's crowded here, all right, I mean this is like a dream compared to where I was for five days. When I went on the beach, if I sneezed, I got somebody's neck wet. It was absolutely absurd. The answer is infrastructure. And I've always said that we need more roads, we need better water and sewer and some day that's going to happen. I think what happens is it gets to a point and it does catch up to itself. It's the only answer that I can figure out, because where does a Planning Board draw the line. Where do I tell you that your son cannot build a house. If I told you that, you'd go get an attorney and they come in here and we go through this whole thing.

MS. ANTONELLI: You have to follow the rules and regulations to make sure that whoever appears before you has all their marbles in place and with very few exceptions, things are granted. I understand that, we're not faulting you or the Board or anything. It's just like Diane said, people are just tired of the congestion and the roads, I mean you can approve a housing project but, then we're told, when we complain about well, 'How are you going to handle the traffic' we're told well there's nothing we can do, that's a state road or that's a county road.

MR. PETRO: Which is usually true.

MS. ANTONELLI: Okay, so it doesn't stop the project and then we have to suffer with that. There's very poor planning when it comes to the roads. It's critical that something is done.

MR. PETRO: I'm not arguing with you and I don't disagree with you. The infrastructure is, when I get out of my driveway in the morning and I have to make a left hand turn, I have to shave again by the time I get to Town Hall. Okay, anything else.

MR. JOHN ALVA: My name is John Alva, I live on Mt. Airy Road. I live very close to this project. I would like to know is this zoned for this.

MR. PETRO: Yes it is.

MR. ALVA: I just want you to know that I looked into condos and rentals, I looked it up to see the difference and I know that you're bringing up your proposals, I have nothing against any of you people but, I would prefer condos and let me tell you why. I look at the crime rates in rentals, they are much higher. Substance abuse rates, much higher in rentals. These are to be condos, if it's zoned for it, I would rather see that it was condos and not rentals because my kids live on this block, right down the street from this and if you're going to do, call it corporate housing, apartments, condos, you can call it whatever you want, I really don't care, I would rather see them owned than rented and that's it. I am going to be very vocal about this if it goes the other way.

MR. ARGENIO: This is your neighborhood.

MR. ALVA: Exactly, my kids live here, I've got four kids under the age of five and ...basically, my whole point.

MS. FRAN SHAPIRO: My name is Fran Shapiro I'm from New Windsor. I just wasn't sure from where these gentlemen are based and I'm also not sure whether this particular project has been built on another airport in another city, was there success of this project. These gentlemen obviously are very knowledgeable and they present themselves well. Is this the first time for them or are they sure this is a go. If I were in your place, I would have so reservations. The traffic is a given, if you're out of the area and you ever want to go to the Chinese Buffet from the five corners and get to Union Avenue on Friday afternoon, be prepared to crawl there and lose your appetite maybe. So I suggest you try to do that.

MR. PETRO: Frannie, you should go to Schlesingers, Schlesingers. Laughter....

MS. SHAPIRO: As long as you mention Schlesingers, which I understand is an excellent place, I've never been there. Everyone that lives here would want to get to you, but, how would they do it. You would have a very big parking lot.

How will you get them there, it sounds like a good concept but, I think you're not looking for the future. Now we've got a vision here of the future for children and grandchildren. What are we doing. Search your consciences very deeply, build somewhere, something that can help people, that contributes down the line, you obviously have the know-how, that's very obvious, you're very sophisticated. Spend time here with us, meet us for lunch, we'll take you around.

MR. KEVIN BETTE: Chris and I are from the Albany area, we have an office here in New Windsor. We've done a lot of the things that you are talking about. We really have done our homework. This is probably the sixth or seventh project that we've done here. What we did when we took a look at the development opportunity here, we studied airport developments all over the world and we took a look at what was successful and what was not successful and we tried to plan out a mixed use park that provides the entire community it provides the types of services and amenities that those types of jobs we're looking for will attract. A classmate of mine at Harvard, Ron Tillman Development of Fort Worth, they built their own airport at an enormous cost, they built a highway out to it and they proceeded to build three billion dollars worth of investment around it, which has changed Tarrant County forever for the positive. There's more important opportunities around that airport. We've looked at airports, former military bases that have been successful. You have a great opportunity in New Windsor, you have infrastructure here as a legacy of the military being here that most other communities in the country would die for. Other areas are spending billions of dollars to get what you have here at Stewart with the airfield and the existing infrastructure in place. My job is to do exactly what you talked about is think about the kids in New Windsor. The reason that I'm here is to try to provide jobs for them so they don't have to move away. We're trying to bring in the types of employment opportunities that will help families that currently live here in New Windsor that their children can live and work close by and not have to go to the 128 corridor, down Chapel Hill or other growth areas. We're trying to build that kind of opportunity here and we're trying to plan it out sensibly. If you take a look at our entire master plan, and we're not here for the master plan, we anticipated all traffic situations, we anticipated all the impacts on schools, we have it all.

MS. SHAPIRO: Excuse me, because it is getting late. Have you checked out our air quality situation that we have failed seven times. If you're concerned about children, you will consider that in your master plan. You want the jobs for children but, they must be healthy children. Yours, mine, grandchildren, healthy. Our air quality at this point of time is failing us. EPA failed it. You guys know that, you know the statistics. So help us address our air quality problems so everyone can go to Schlesingers or wherever. Air quality, healthy children, this is not being spoken of. Cars are our biggest source of pollution, are they not. How many cars will this bring in, everyone has four cars already. Every family.

MR. PETRO: Frannie, we've got to stay on the subject.

MS. SHAPIRO: This is the subject, this is the bottom line. Health for your children. Thank you and I hope that you all go to bed and think about these things because this is here its at.

MR. MARTINSON: One quick thing. Did you ask the question before and the question became how did we get from 275 to 311. Right.

MR. PETRO: Right.

MR. MARTINSON: I'm thinking of myself, was that all from two bedrooms, from three bedrooms to two bedrooms and dropping our price down below \$300,000.00.

MR. PETRO: No, there's a breakdown I read earlier. Did you hear what I said.

MR. MARTINSON: No, that may be when I had to step out of the room.

MR. PETRO: Here, I'll read it to you again. 109 three bedroom, garage under units; 26 three bedroom, walk-out units; 176 two bedroom-stacking units. That's the breakdown.

MR. MARTINSON: Yeah, but no, my question was how did we get, when you asked the question, how did we get from 275 to 311 units and they resituated this and that and the other thing and they worked around it to create more space for this and is that part of the way they got there and which also brings the price down which brings a, I don't want to be derogatory or anything like that, but does that bring a worse element into our neighborhood and our schools.

MR. PETRO: Dean, answer his question, and then I want to finish up.

MR. DONATELLI: Well...

MR. ARGENIO: Will bring a different element...

MR. MARTINSON: Then I'll change from that and say bringing a different element into your school. Your school district has a lot more problems than they used to have.

MR. ARGENIO: Do you think.

MR. MARTINSON: Whoa, they just had a riot the other day. What about a month and a half ago.

MR. PETRO: What school district is that.

MR. MARTINSON: Washingtonville.

MR. DONATELLI: Well, we certainly target people in the New Windsor and the Orange County area. Quite frankly, I can't say that we could eliminate any potential buyer. If there's a willing buyer here at a certain price point, then we would naturally sell them a home. The most important thing and I think it's a consistent and I think addresses there's two things I heard tonight. One is that there's no place to buy a home and we want to address the housing concern and I think the way to bring the cost of homes down so everyone can live in a comfortable community where the kids are safe is you have to build more homes and address the infrastructure by, you know, doing studies on traffic counts at the intersections, we've done. Sewer and water demands and make sure the infrastructure is based to address the demands that the community Unless you build more homes, the prices of homes in New Jersey and New York or the North East, Maryland, they are just going to keep going up.

MR. MARTINSON: I don't know what's good for all of us who are already here but,.

MR. PETRO: Okay, at this time, first of all I want to thank everybody who spoke tonight for being polite and to the point and I appreciate that and at this point I'd open it back up to the gentlemen here with the presentation. There's not much else to do tonight. You heard us authorize to schedule a public hearing so, therefore, again, you would have obviously another chance to speak on this. The plan would be further along. There would be more information and that's just it, I thank everybody for coming.

Transcribed By:



Myra Mason
Transcribed from Tape Recording